April 14, 2022

The Mayor and Common Council convened in open session in the Municipal Building at 215 Stiger Street, Hackettstown, New Jerseyat 7:00 PM on April 14, 2022. The meeting opened

with a salute to the Flag.

Mayor DiMaio 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 DiMaio, Councilpersons Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Mayor DiMaio administered the Oath of Office to Police Officers Kevin MacQuesten and Juan Ocampo.

Mayor DiMaio presented a proclamation in recognition of Older Americans Month.

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

Sergio Rojas, 324 Hurley Drive, owner of Metro Car Service, spoke regarding illegal taxi cabs in Town.

There being no further comment, discussion returned to Council.

Motion was made (Sheldon) and seconded (Becker) to approve minutes of the special meeting held on March 16, 2022.

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

 Abstain – Tynan

Motion was made (Sheldon) and seconded (Becker) to approve the minutes of the regular meeting held on March 24, 2022.

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

Mayor DiMaio opened the public hearing on ordinance #2022-03 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 18 (FIVE-YEAR TAX EXEMPTIONS) OF THE TOWN CODE, which was introduced and passed on first reading on March 10, 2022, and offered a copy of the ordinance to anyone who desired a copy. The title of the ordinance was read aloud, and the Town Attorney explained the contents and purpose of the ordinance. The Town Clerk stated that the ordinance and the Notice of Hearing were duly published in the Daily Record and posted on the bulletin board in the lobby of the Municipal Building, and that copies of the ordinance were made available to members of the general public who requested such copies.

There being no comments from the public, Mayor DiMaio closed the public hearing and discussion returned to Council.

Motion was made (Sheldon) and seconded (Lambo) that ordinance #2022-03 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 18 (FIVE-YEAR TAX EXEMPTIONS) OF THE TOWN CODE, be adopted on second and final reading and that Notice of Final Adoption be published.

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

 No – Tynan

Mayor DiMaio opened the public hearing on ordinance #2022-04 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A LONG-TERM TAX EXEMPTION AGREEMENT, PURSUANT TO THE LONG-TERM TAX EXEMPTION LAW, NJSA 40A:20-1 ET SEQ., WITH JADE HACKETTSTOWN ASSOCIATES URBAN RENEWAL LLC, which was introduced and passed on first reading on March 10, 2022, and offered a copy of the ordinance to anyone who desired a copy. The title of the ordinance was read aloud, and the Town Attorney explained the contents and purpose of the ordinance. The Town Clerk stated that the ordinance and the Notice of Hearing were duly published in the Daily Record and posted on the bulletin board in the lobby of the Municipal Building, and that copies of the ordinance were made available to members of the general public who requested such copies.

There being no comments from the public, Mayor DiMaio closed the public hearing and discussion returned to Council.

Motion was made (Sheldon) and seconded (Lambo) that ordinance #2022-04 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A LONG-TERM TAX EXEMPTION AGREEMENT, PURSUANT TO THE LONG-TERM TAX EXEMPTION LAW, NJSA 40A:20-1 ET SEQ., WITH JADE HACKETTSTOWN ASSOCIATES URBAN RENEWAL LLC, be adopted on second and final reading and that Notice of Final Adoption be published.

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

 No – Tynan

Motion was made (Sheldon) and seconded (Tynan) that ordinance #2022-05 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING CHAPTER 11 (ENTITLED “HEALTH AND SANITATION”) OF THE TOWN ORDINANCES TO INCLUDE ARTICLE 13 AND ITS RELATED SECTIONS, be introduced and passed on first reading and that public hearing be held thereon and it be considered for final passage at 7:00 pm on May 12, 2022; the Town Clerk to publish the ordinance together with Notice of Hearing on the bulletin board in the lobby of the Municipal Building, and to make copies of the ordinance available to members of the general public who request such copies.

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

Motion was made (Sheldon) and seconded (Lambo) that ordinance #2022-06 entitled, AN ORDINANCE APPROPRIATING THE TOTAL SUM OF $637,800 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 public hearing be held thereon and it be considered for final passage at 7:00 pm on May 12, 2022; the Town Clerk to publish the ordinance together with Notice of Hearing on the bulletin board in the lobby of the Municipal Building, and to make copies of the ordinance available to members of the general public who request such copies.

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

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

Resolution

WHEREAS, the Tax Collector advises of overpayment of taxes for calendar year 2020 & 2021 due to a New Jersey State tax appeal Judgment 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 as follows:

Block Lot Assessed To Amount

41.02 32 Tickner, Daniel & Michael 2020 $3,016.36

 90 Main Street 2021 $6,276.94

 Hackettstown, NJ 07840 $9,293.30

 Property location: 90 Main Street

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

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

Resolution

WHEREAS the Tax Collector advises of overpayment of taxes for calendar year 2022 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:

Bock 101, Lot 1 $841.27

Holochwost, John & Anita

515 Grand Avenue Homestead Rebate Credit

Hackettstown, NJ 07840 on exempt property

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

Motion was made (Sheldon) and seconded (Engelau) to approve the release of the Wawa Maintenance Bond in the amount of $12,574.08.

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

Motion was made (Sheldon) and seconded (Becker) to approve the application for social affair permit for Centenary University to hold a PATH International Conference on June 3, 2022.

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

 Abstain – Kunz

Motion was made (Sheldon) and seconded (Lambo) to approve the application for social affair permit for The House of the Good Shepherd to hold a Wine and Dine on June 9, 2022.

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

Motion was made (Sheldon) and seconded (Lambo) to approve raffle license #1267 for the Cataract Hose Co. No. 1 to hold an off premise 50/50.

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

 Abstain – Tynan

Motion was made (Sheldon) and seconded (Becker) to approve the following taxi cab drivers license applications through May 1, 2023: Martha Allardice, Sergio Rojas, Maggie Yoza, Allan Quesada, Ana Ramirez, Ada Garcia, Marcia Rojas, Tania Palomino.

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

Motion was made (Sheldon) and seconded (Lambo) to approve the following taxi cab owners licenses through May 1, 2023: Martha Allardice, 2015 Honda Odyssey, VIN #5FNRL5H67FB007798; Ada Garcia, 2012 Toyota Sienna, VIN #5TDDK3DCS030618; Ana Ramirez, 2009 Honda Wagon, VIN #5FNRL386X9B018240; Sergio Rojas, 2015 Toyota Sienna, VIN #5TDKK3DC7FS632573; Sergio Rojas, 2012 Toyota Sienna, VIN#5TDZK3DC3C5194449.

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

Motion was made (Sheldon) and seconded (Engelau) to appoint Peter Karcher to the position of Hackettstown Construction Official effective May 2, 2022 with an annual salary of $36,400.

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

Motion was made (Sheldon) and seconded (Tynan) to appoint Joseph Serrecchia to the position of Hackettstown Fire Subcode Official effective May 2, 2022 with an annual salary of $9,500.00.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2022-7 in the amount of $2,915,951.18.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the special event license application for Czig Meister Brewing Co. to hold a Live Music in Biergarten on May 14, 2022 and every Thursday from May 26, 2022 through October 26, 2022, to charge the $50.00 application fee and charge no town costs.

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

Motion was made (Sheldon) and seconded (Becker) to approve the special event license application for the Hackettstown Rescue Squad to hold a Hackettstown Town Wide Yard Sale on April 30, 2022 and May 1, 2022, to waive the $50.00 application fee and charge no Town costs.

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

Motion was made (Sheldon) and seconded (Tynan) to approve the special event license application for the Rotary Club Foundation to hold a Memorial Motor Madness Car Show 2022 on May 29, 2022, to waive the $50.00 application fee and charge no Town costs.

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

Motion was made (Sheldon) and seconded (Lambo) to approve the special event license application for the Hackettstown Business Improvement District to hold a Late Night Thursdays Live Music and Farmers Market every Thursday form July 7, 2022 through August 25, 2022, to waive the $50.00 application fee and charge no Town costs.

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

Motion was made (Sheldon) and seconded (Becker) to approve the special event license application for the Hackettstown Business Improvement District to hold a Hackettstown Street Fair on June 26, 2022, to waive the $50.00 application fee and charge no Town costs.

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

Motion was made (Sheldon) and seconded (Kunz) to appoint Robert Mohr as an Active Honorary Firefighter to Vigilant Hook & Ladder Co. #1.

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

 No – Sheldon

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

Pedro Cruz, 127B Main Street, spoke regarding wanting to cut part of the railing in front of Taurus Grill to make room for outdoor tables.

There being no further comment, discussion returned to Council.

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

Resolution

BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HACKETTSTOWN AS FOLLOWS:

1. That the public be excluded from attendance at a portion of its meeting to be held on April 14, 2022 for the reason that the following subject matter will be discussed:

Contractual Police

1. The Mayor and Common Council may exclude the public from the meeting pursuant to section 10:4-12(b) of the Open Public Meetings Law.
2. Matters to be discussed will be revealed to the public after Council determines action to be taken, if any, and other litigation has been resolved and employees involved contacted.

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

The meeting was closed at 7:34 PM.

Motion was made (Sheldon) and seconded (Becker) to exit the executive session at 7:41 PM.

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

The Mayor stated that no formal action was taken by the Council during Executive Session.

Motion was made (Sheldon) and seconded (Becker) to adjourn this meeting at 7:41 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.

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

Gerald DiMaio, Jr., Mayor William Kuster, Jr., Town Clerk