May 12, 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 May 12, 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 Engelau, Kunz, Lambo and

 Sheldon

 Absent – Councilpersons Becker and Tynan

Motion was made (Sheldon) and seconded (Engelau) to approve the minutes of the regular meeting held on April 14, 2022.

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

Motion was made (Sheldon) and seconded (Lambo) to approve the minutes of the executive session held on April 14, 2022 as submitted.

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

Mayor DiMaio opened the public hearing on the 2022 Municipal Budget.

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

Motion was made (Sheldon) and seconded (Lambo) to adopt the 2022 Municipal Budget.

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

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 comment from the public, Mayor DiMaio closed the public hearing and discussion return to Council.

Motion was made (Sheldon) and seconded (Engelau) 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 – Engelau, Kunz, Lambo and Sheldon

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 comment from the public, Mayor DiMaio closed the public hearing and discussion return to Council.

Motion was made (Sheldon) and seconded (Engelau) 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 – Engelau, Kunz, Lambo and Sheldon

Councilperson Becker entered the meeting at 7:08 PM.

Mayor DiMaio opened the public hearing on 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, which was introduced and passed on first reading on April 14, 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 comment from the public, Mayor DiMaio closed the public hearing and discussion return to Council.

Motion was made (Sheldon) and seconded (Becker) 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 adopted on second and final reading and that Notice of Final Adoption be published.

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

Mayor DiMaio opened the public hearing on 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, which was introduced and passed on first reading on April 14, 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 comment from the public, Mayor DiMaio closed the public hearing and discussion return to Council.

Motion was made (Sheldon) and seconded (Engelau) 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 adopted on second and final reading and that Notice of Final Adoption be published.

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

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

WHEREAS, the salary ordinance for the Town of Hackettstown was adopted by the Mayor and Common Council at a meeting held on May 28, 2020, and

WHEREAS, the salary ordinance provides for ranges of salary,

NOW THEREFORE BE IT RESOLVED that the following 2022 salaries are established for employees currently in the following positions:

Mayor $5449.00 per year

Council persons $4765.00 per year

Construction/Subcode Official $71,616.00 per year 1/1-4/30/22

And Building Subcode Official

Construction/Subcode Official $36,400.00 per year eff 5/1/22

And Building Subcode Official

Zoning Officer $50,311.00 per year

Flood Plain Administrator $3,914.00 per year

Zoning Office – part time office assistant $15.45 per hour

Plumbing Subcode Official $20,706.00 per year

Electrical Subcode Official $51.39 per hour

Code Enforcement Official $40.57 per hour

Fire Subcode Official $6,498.00 per year 1/1-4/30/22

Fire Subcode Inspector $6,693.00 per year 1/1-4/30/22

Fire Subcode Official $9,500.00 per year eff 5/1/22

Construction Code Control Person $47,763.00 per year

Construction Code Control person-part time $17.91 per hour

Land Use Secretary $18,025.00 per year

Board of Health:

 Registrar $9,774.00 per year

 Secretary $2,986.00 per year

 Deputy Registrar $2,801.00 per year

 Alternate Deputy Registrar of Vital Statistics $1,083.00 per year

Tax Assessor $32,782.00 per year

Administrative Office Secretary DPW/Assessor $37,440.00 per year

Tax Collector/Tax Search Officer $71,611.00 per year

Town Clerk Administrator $143,222.00 per year

Deputy Town Clerk $4,355.00 per year

Assessment Search Officer $5386.00 per year

Administrative Office Secretary $56,177.00 per year

Chief Financial Office $132,613.00 per year

Qualified Purchasing Agent $6,525.00 per year

Finance Department Assistant $56,837.00 per year

Municipal Court Judge $23,690.00 per year

Municipal Court Administrator $70,527.00 per year

Deputy Court Administrator $48,843.00 per year

Municipal Court Public Defender $427.69 per court session

Police Department Secretary $58,139.00 per year

Special Police Officer Class II $24.76 per hour

Police Clerk-part time $17.51 per hour

Police Matron $32.62 per hour for 1st two hours worked

 $26.12 per hour for each hour thereafter

Crossing Guard $18.58 per hour

Crossing Guard (less than one year service) $14.01 per hour

Historic Preservation Commission Clerk $1,284.00 per year

Historic Preservation Commission Secretary $1,284.00 per year

Emergency Management Coordinator $3,908.00 per year

Emergency Management Deputy (2) $1,086.00 per year

Data Processing Systems Coordinator $2,490.00 per year

Department of Public Works:

 DPW Superintendent $102,139.00 per year

Public Works Repairer and Laborer Full Time:

 Ed Syfor $32.63 per hour

 Charles Smith $27.23 per hour

 Michael Palko, Jr. $25.12 per hour

 Shawn Snyder $24.34 per hour

 Rich Bardyszewski $22.54 per hour

 Brian Patterson $20.56 per hour

 Michael Ennis $20.56 per hour

Snow plowing, non-town employees $28.50 per hour

Recycling Coordinator $3,143.00 per year

Fire Chief $5,576.00 per year

Deputy Fire Chief $4,501.00 per year

1st Assistant Fire Chief $3,468.00 per year

2nd Assistant Fire Chief $2,411.00 per year

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 held May 12, 2022 at the Municipal Building, 215 Stiger Street, Hackettstown, New Jersey.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the Fire Department purchase of Fire Department radios from Spectrum Communications, Kenvil, NJ in the amount of $77,363.84.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2022-08 in the amount of $2,095.061.43.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2022-09 in the amount of $1,848,827.97.

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

Motion was made (Sheldon) and seconded (Becker) to request the New Jersey Civil Service dates for the Police Chief exam.

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

Motion was made (Sheldon) and seconded (Engelau) to appoint Joann Fascenelli to the position of Recycling Coordinator retroactive to January 1, 2022.

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

Motion was made (Sheldon) and seconded (Becker) to appoint Nakicha Joseph to the position of Deputy Prosecutor retroactive to January 1, 2022.

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

Motion was made (Sheldon) and seconded (Kunz) to approve the Coin Toss application for the Hackettstown First Aid and Rescue Squad to hold a coin toss on June 11, 2022 with the amended time from being dawn to dusk.

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

Motion was made (Sheldon) and seconded (Becker) to approve the special event license application for Czig Meister Brewing Co. to hold a Czig Meister Brewery’s 6th Anniversary Event on June 11, 2022, to charge the $50.00 application fee and charge no Town costs.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the special event license application for the Hackettstown Business Improvement District to hold an Oktoberfest on September 24, 2022, to waive the $50.00 application fee and to charge no Town costs.

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

Motion was made (Sheldon) and seconded (Becker) to approve the special event license application for the Hackettstown Elks Lodge #2331 to hold a Hackettstown Elks #2331 Motorcycle Run to benefit Operation Chillout on June 12, 2022, to waive the $50.00 application fee and to charge no Town costs.

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

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

Resolution

WHEREAS, the Five-Year Exemption and Abatement Law, as amended and supplemented, NJSA 40A:21-1 et seq. (the “Exemption Law)”, permits a municipality to exempt and abate real property taxes, for a limited period of time, for new construction of dwellings, multiple dwellings, mixed use, commercial and industrial structures made in the redevelopment of a redevelopment area, subject to the terms and conditions of a tax agreement complying with the requirements of the Exemption Law; and

WHEREAS, Chapter 18 of the Town Code, entitled, “Five-Year Tax Exemptions,” authorizes exemptions for new construction of dwellings, multiple dwellings, mixed use, commercial and industrial structures, and the execution of tax agreements, in lieu of the payment of full property taxes is permitted by the Exemption Law; and

WHEREAS, pursuant to the Local Redevelopment and Housing Law of the State of New Jersey, NJSA 40A:12A-1 et seq. (the “Redevelopment Law:) on December 14, 1998, the Mayor and Council (the “Governing Body”), adopted Ordinance No. 98-ORD17, designating the properties identified on the official tax map of the Town as Block 38, Lots 2, 3, 3.01, 4 and 5; Block 34, Lot 5 (formerly Lots 3, 4, 5 and 7.01); Block 30, Lots 5-9; Block 21, Lots 18.01 and 18.02; Block 41, Lots 17, 21, 22, 23, 24 and 25; Block 41.02, Lots 17, 21, 22, 23, 24, 25, 29, 29.01, 30 and 32; and a portion of the Bergen Street right-of-way as part of an area in need of redevelopment and referred to as the “Stiger Street Redevelopment Area”; and

WHEREAS, on March 10, 2022, the Governing Body, by Ordinance No. 2022-02, adopted a redevelopment plan for the former Bergen Tool property located within the Stiger Street Redevelopment Area, which consists, in-part, of Lot 18.02 in Block 21 and a portion of the Bergen Street right-of-way (the “Redevelopment Area”), entitled, the “Bergen Tool Redevelopment Plan” (the “Redevelopment Plan”); and

WHEREAS, the Governing Body by Resolution appointed Hackettstown Crossing Associates, LLC (“Redeveloper”) as the redeveloper of the Redevelopment Area; and

WHEREAS, to implement the development, financing, construction, operation and management of the Redevelopment Area, the Town authorized a redevelopment agreement with the Redeveloper (the “Redevelopment Agreement”), which Redevelopment Agreement specifies the rights and responsibilities of the Town and Redeveloper with respect to certain aspects of the Projects (as defined herein); and

WHEREAS, the Redevelopment Agreement provides for the subdivision of the Redevelopment Area into two (2) or more lots to create two (2) district project areas, to include a Mixed-Use Project Area and a Townhome Project Area (collectively, the “Project”); and

WHEREAS, the Townhome Project Area will consist of sixty-six (66) fee-simple townhome units, together with certain other on-site and off-site improvements and other obligations as further described in the Redevelopment Agreement; and

WHEREAS, pursuant to Chapter 18 of the Town Code and the Exemption Law, the Redeveloper has applied to the Town for a tax exemption with respect to the Townhome Project Area (the “Application”), which application is incorporated herein by reference; and

WHEREAS, the Application has been carefully considered by the appropriate administrative officers and officials of the Town who have determined that the proposed Townhome Project Area is eligible for tax exemption pursuant to Chapter 18 of the Town Code and the Exemption Law; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Hackettstown, County of Warren, and State of New Jersey, that the Town of Hackettstown is hereby authorized to enter into a Five-Year Tax Exemption Agreement with the Redeveloper pursuant to the Five-Year Exemption and Abatement Law, as amended and supplemented, NJSA 40A:21-1 et seq.; and

BE IT FURTHER RESOLVED, that the governing body hereby authorizes and directs the Mayor and Town Clerk to execute, on behalf of the Town, the Five-Year Tax Exemption Agreement in substantially the form annexed hereto as Exhibit “A”; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to the Commissioner of the Department of Community Affairs, pursuant to the Exemption Law, for approval.

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

Motion was made (Kunz) and seconded (Engelau) to request a certified list from Civil Service for the Police Lieutenant and Police Sergeant positions.

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

Motion was made (Kunz) and seconded (Sheldon) to approve the Hackettstown Street Fair traffic plan and the Oktoberfest traffic plan as follows:

The following areas are approved to be designated as “No Parking Tow Away” zones from 7:00 a.m. to 8:00 p.m. on June 26, 2022 with a rain date of July 10, 2022 for the Hackettstown Street Fair:

1. Main St (Rt. 46) from Grand Avenue to East Plane St; both sides

Also requesting road to be closed

1. West Moore St from Washington St to Rt. 46; both sides

Also requesting road be closed

1. East Moore St from Sharp St to Rt. 46; both sides

Also requesting road be closed

1. West Plane St from Washington St to Rt. 46; both sides

The following areas are approved to be designated as “Tow-Away” zones from 9:00 a.m. to 10:00 p.m. on Saturday September 24, 2022 and Sunday September 25, 2022 from 9:00 a.m. to 8:00 p.m. for Oktoberfest:

1. Valentine St between Main St (Route 46) to Madison St; also requested that section to be closed
2. Grand Ave between Main St (Route 46) to Washington St; also requesting that section to be closed
3. Main St (Route 46) between Liberty St to Grand Ave; also requesting that section to be closed
4. Franklin St between High St (County Route 517) to Liberty St
5. Liberty St between Franklin St to Main St (Route 46)

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

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

No one wished to speak at this time.

Motion was made (Sheldon) and seconded (Engelau) to adjourn this meeting at 7:24 PM.

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

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