May 11, 2023

The Mayor and Common Council convened in open session in the Hackettstown Municipal Building, 215 Stiger Street, Hackettstown, New Jersey at 7:00 PM on May 11, 2023. 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 and NJ Herald;
3. Posting notice on the Municipal website www.Hackettstown.net.
4. Furnishing a notice of said meeting to anyone requesting it in accordance with the Open Public Meetings Act; and
5. Filing a notice of said meeting with the Town Clerk.

Roll Call: Present – Mayor DiMaio, Councilpersons Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Sheldon) and seconded (Becker) to approve the minutes of the regular meeting held on April 13, 2023 as submitted.  
  
Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Abstain – Kunz and Tynan

Mayor DiMaio opened the public hearing on ordinance #2023-03 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN TO EXTINGUISH A 15’ WIDE DRAINAGE EASEMENT IN RELATION TO THE PROPERTY DESIGNATED ON THE TAX MAP OF THE TOWN AS BLOCK 21, LOT 18.03, AS SUCH EASEMENT IS NO LONGER NECESSARY, which was introduced and passed on first reading on April 13, 2023, 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 #2023-03 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN TO EXTINGUISH A 15’ WIDE DRAINAGE EASEMENT IN RELATION TO THE PROPERTY DESIGNATED ON THE TAX MAP OF THE TOWN AS BLOCK 21, LOT 18.03, AS SUCH EASEMENT IS NO LONGER NECESSARY be adopted on second and final reading and that Notice of Final Adoption be published.

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

No – Sheldon

Motion was made (Sheldon) and seconded (Engelau) that ordinance #2023-04 entitled, AN ORDINANCE TO AMEND THE ORDINANCE FIXING THE SALARY AND OTHER BENEFITS OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWN OF HACKETTSTOWN, NEW JERSEY, 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 on June 8, 2023; 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 – Becker Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Sheldon) and seconded (Engelau) that ordinance #2023-05 entitled, AN ORDINANCE APPROPRIATING THE TOTAL SUM OF $587,000 FOR FUNDING OF VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES BY THE TOWN OF HACKETTSTOWN, IN THE COUNTY OF WARREN, NEW JERSEY, be introduced and passed on first reading and that a public hearing be held thereon and it be considered for final passage at 7:00 on June 8, 2023; 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 – Becker Engelau, Kunz, Lambo, Sheldon and Tynan

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

Resolution

WHEREAS, N.J.S.A 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WEHREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board of February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Town of Hackettstown has been declared eligible to participate in the program by the Division of Local Government Services and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2023 budget year,

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Town of Hackettstown that in accordance with the N.J.A.C. 5:30-7.6a and 7.6b and based upon the Chief Financial Officers certification, the governing body has found that the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
   1. Payment of interest and debt redemption charges
   2. Deferred charges and statutory expenditures
   3. Cash deficit of preceding year
   4. Reserve for uncollected taxes
   5. Other reserves and non-disbursement items
   6. Any inclusion of amounts required for school purposed
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A 40:4-45.3 et seq., and fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
   1. All estimated of revenue are reasonable accurate and correctly stated,
   2. Items of appropriation are properly set forth
   3. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.  
  
Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Mayor DiMaio opened the public hearing on the 2023 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 2023 Municipal Budget.

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 Department of Veterans Affairs has determined that Joseph Galka, owner of property at Block 119.02, Lot 4, 67 Saxton Drive, is totally disabled; and

WHEREAS, due to this determination, Mr. Galka is not required to pay property taxes from April 20, 2023 and is, therefore exempt from future tax payments; and

WHEREAS, an overpayment will exist and must now be refunded to the assessed owner as a totally disabled veteran:

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the Tax Collector is authorized to cancel taxes from April 20, 2023 and is hereby authorized to cancel the first and second quarters of 2024. The Governing Body also authorizes the Chief Financial Officer to make a refund of taxes as follows:

Block Lot Year Assessed To: Amount

119.02 4 2023 Galka, Joseph & Lemicua $2,054.50

67 Saxton Dr.

Hackettstown, NJ 07840

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

Motion was made (Sheldon) and seconded (Lambo) to discuss and authorize the Town Attorney to draft a Continuing Certificate of Occupancy/Certificate of Compliance ordinance.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the Cannabis Class 5 Retail renewal license for Hackettstown Dispensary, LLC and High Street Wellness, LLC.

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

Motion was made (Sheldon) and seconded (Engelau) to hire Lucas Smith as a Laborer/Driver for the Department of Public Works effective June 15, 2023 at a rate of $20.00 per hour.

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

Motion was made (Sheldon) and seconded (Lambo) to authorize the Town to join the HGACBuy Cooperative.

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

Motion was made (Sheldon) and seconded (Kunz) to approve the taxicab owner’s license for Tigers Taxi Services, LLC, for a 2015 Honda, VIN #5FNRL5H96FB028927 through May 1, 2024.

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

Motion was made (Sheldon) and seconded (Lambo) to approve the taxicab owner’s licenses for Metro Car Service, LLC for a 2015 Toyota Sienna, VIN #5TDKK3DC7FS632575, and for a 2018 Toyota Sienna, VIN #5TDKZ3DC2J5953537 through May 1, 2024.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the taxicab driver’s application for Allan Quesada through May 1, 2024.

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

Motion was made (Sheldon) and seconded (Lambo) to approve the taxicab driver’s application for Gabriel Rojas through May 1, 2024.

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

Motion was made (Sheldon) and seconded (Lambo) to approve the taxicab driver’s license for Marcia A. Abad- Rojas through May 1, 2024.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the taxicab driver’s license for Sergio Rojas through May 1, 2024.

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

Motion was made (Sheldon) and seconded (Lambo) to appoint Roy Konwiser as a fill-in inspector effective retroactive to May 8, 2023 at a rate of $41.79 per hour.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #23-08 in the amount of $492,916.18.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #23-09 in the amount of $3,583,837.81.

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 Gethsemane Lutheran Church to hold a Gethsemane Lutheran Preschool 50th Anniversary Open House on June 3, 2023, to waive the $50.00 application fee and to 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 Czig Meister Brewing Company to hold a Czig Meister Brewery’s 7th Anniversary Celebration on June 10, 2023, to charge the $50.00 application fee and to charge Town costs in the amount of $1,785.44.

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 Assumption of the Blessed Virgin Mary Parish to hold a 100th Anniversary Festival on August 13, 2023 with a rain date of August 20, 2023, to reimburse the $50.00 application fee and to charge Town costs in the amount of $557.95.

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

Motion was made (Kunz) and seconded (Becker) to hire Jeffrey Anderson, effective July 1, 2023 and Harold Ruiz effective June 1, 2023 as police officers at a Step 2 salary.

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

Motion was made (Sheldon) and seconded (Kunz) to request a civil service list for two Police Sergeant positions.

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

Motion as made (Sheldon) and seconded (Kunz) to request a new civil service exam for Police Lieutenant.

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.

Greg Gaertner, 20 Seymour Terrace, Hackettstown, spoke about his trip to Hacketstown Ireland and addressed the Council regarding concerns he has regarding the proposed CCO ordinance.

Motion was made (Sheldon) and seconded (Lambo) to adjourn this meeting at 7:52 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 P.J. Reilly, Town Clerk/Administrator