June 8, 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 June 8, 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 and

 Sheldon

 Absent – Councilperson Tynan

Mayor DiMaio presented a proclamation in recognition of the 100 year anniversary of the Knights of Columbus.

Motion was made (Sheldon) and seconded (Becker) to approve the minutes of the regular meeting held on May 11, 2023 as submitted.

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

Mayor DiMaio opened the public hearing on ordinance #2023-04 entitled, AN ORDINANCE TO AMEND THE ORIDNANCE FIXING THE SALARY AND OTHER BENEFITS OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWN OF HACKETTSTOWN, NEW JERSEY, which was introduced and passed on first reading on May 11, 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 #2023-04 entitled, AN ORDINANCE TO AMEND THE ORIDNANCE FIXING THE SALARY AND OTHER BENEFITS OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWN OF HACKETTSTOWN, 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

Mayor DiMaio opened the public hearing on ordinance #2023-05 entitled, AN ORDINANCE APPROPRIATING THE TOTAL SUM OF $587,000 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 May 11, 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 (Kunz) that ordinance #2023-05 entitled, AN ORDINANCE APPROPRIATING THE TOTAL SUM OF $587,000 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) that ordinance #2023-06 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN ESTABLISHING ANNUAL REGISTRATION AND LIABILLITY INSURANCE REQUIREMENTS FOR BUSINESSES 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 July 13, 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 – Engelau, Kunz and Lambo

 No – Becker and Lambo

Motion was made (Sheldon) and seconded (Engelau) that ordinance #2023-07 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN ESTABLISHEING LIABILITY INSURANCE AND ANNUAL REGISTRATION REQUIREMENTS FOR LANDLORDS 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 July 13, 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 and Sheldon

Motion was made (Sheldon) and seconded (Kunz) to approve the Chapter 159 for Lead Grant Assistance Program in the amount of $10,000.00.

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

Motion was made (Sheldon) and seconded (Kunz) to approve the Chapter 159 for Stormwater Assistance Grant in the amount of $25,000.00.

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

Motion was made (Sheldon) and seconded (Becker) to approve the Chapter 159 for American Rescue Plan Funds – Emergency Services Equipment in the amount of $192,000.00.

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 2023 salaries are established for employees |
| currently in the following positions: |

Mayor

|  |  |
| --- | --- |
| $ 8,000.00 | per year |

Council persons (6)

|  |  |
| --- | --- |
| $ 7,000.00 | per year |

|  |
| --- |
|  Construction/Subcode Official |
|  and Building Subcode Official |

|  |  |
| --- | --- |
| $ 37,492.00 | per year |

Zoning Officer/Flood Plain Administrator

|  |  |
| --- | --- |
| $ 55,852.00 | per year |

Zoning Office-part time office assistant

|  |  |
| --- | --- |
| $ 15.91 | per hour |

Plumbing Subcode Official

|  |  |
| --- | --- |
| $ 21,327.00 | per year |

Electrical Subcode Official

|  |  |
| --- | --- |
| $ 52.93 | per hour |

Code Enforcement Official-PY/fill-in

|  |  |
| --- | --- |
| $ 43.00 | per hour |

Fire Subcode Official/Inspector

|  |  |
| --- | --- |
| $ 9,785.00 | per year |

Rental Regulations/Landlord Licensing

|  |  |
| --- | --- |
| $ 6,180.00 | per year |

Construction Code Control person

|  |  |
| --- | --- |
| $ 49,196.00 | per year |

Construction Code Control person-part time

|  |  |
| --- | --- |
| $ 18.45 | per hour |

Tax Assessor

|  |  |
| --- | --- |
| $ 33,765.00 | per year |

Administrative Office Secretary DPW/Assessor

|  |  |
| --- | --- |
| $ 38,563.00 | per year |

Tax Collector/Tax Search Officer

|  |  |
| --- | --- |
| $ 81,759.00 | per year |

Town Clerk Administrator/Registrar

|  |  |
| --- | --- |
| $ 128,517.00 | per year |

Administrative Office & Boards secretary

|  |  |
| --- | --- |
| $ 97,073.00 | per year |

Chief Financial Officer/Qualified Purch Agent

|  |  |
| --- | --- |
| $ 143,312.00 | per year |

Deputy Treasurer

|  |  |
| --- | --- |
| $ 56,650.00 | per year |

COAH Liaison

|  |  |
| --- | --- |
| $ 5,150.00 | per year |

Municipal Court Judge

|  |  |
| --- | --- |
| $ 24,401.00 | per year |

Municipal Court Administrator

|  |  |
| --- | --- |
| $ 72,643.00 | per year |

 Deputy Court Administrator

|  |  |
| --- | --- |
| $ 50,308.00 | per year |

Municipal Court Public Defender

|  |  |
| --- | --- |
| $ 440.52 | per court session |

Police Department Secretary

|  |  |  |
| --- | --- | --- |
| $ 59,883.00 | per year | 1/1-6/30 |

Police Department Secretary

|  |  |  |
| --- | --- | --- |
| $ 45,000.00 | per year | 7/1-12/31 |

Police Clerk-part time

|  |  |
| --- | --- |
| $ 18.04 | per hour |

Special Police Officer Class II

|  |  |
| --- | --- |
| $ 25.50 | per hour |

Police Matron

|  |  |
| --- | --- |
| $ 33.60 | per hour for 1st two hours worked |
| $ 26.90 | per hour for each hour thereafter |

Crossing Guard

|  |  |  |
| --- | --- | --- |
| $ 19.14 | per hour | 1/1-6/30 |

Crossing Guard (less than one year service)

|  |  |  |
| --- | --- | --- |
| $ 14.43 | per hour | 1/1-6/30 |

Crossing Guard

|  |  |  |
| --- | --- | --- |
| $ 33.00 | per hour | 9/1-12/31 |

Emergency Management Coordinator

|  |  |
| --- | --- |
| $ 4,025.00 | per year |

Emergency Management Deputy (2)

|  |  |
| --- | --- |
| $ 1,119.00 | per year |

**DEPARTMENT OF PUBLIC WORKS**

DPW Superintendent

|  |  |
| --- | --- |
| $ 105,203.00 | per year |

|  |
| --- |
| Public Works Repairer and Laborer Full Time: |
| Ed Syfor |
| Charles Smith |
| Michael Palko, Jr. |
| Shawn Snyder |
| Rich Bardyszewski |
| Brian Patterson |
| Lucas Smith |

|  |  |
| --- | --- |
| $ 33.61 | per hour |
| $ 28.05 | per hour |
| $ 25.87 | per hour |
| $ 25.07 | per hour |
| $ 23.22 | per hour |
| $ 21.18 | per hour |
| $ 20.00 | per hour |

Snow plowing, non town employees

|  |  |
| --- | --- |
| $ 28.50 | per hour |

Recycling Coordinator

|  |  |
| --- | --- |
| $ 3,237.00 | per year |

Fire Chief

|  |  |
| --- | --- |
| $ 5,743.00 | per year |

Deputy Fire Chief

|  |  |
| --- | --- |
| $ 4,636.00 | per year |

1st Assistant Fire Chief

|  |  |
| --- | --- |
| $ 3,572.00 | per year |

2nd Assistant Fire Chief

|  |  |
| --- | --- |
| $ 2,483.00 | per year |

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 following applicants have submitted applications for 2023/2024 Alcoholic Beverage Licenses of the type stated;

NOW THEREFORE BE IT RESOLVED, that subject to approval of the N.J. Division of Alcoholic Beverage Control, the liquor licenses hereafter listed be issued, signed on behalf of the governing body, and delivered by the Town Clerk to:

 TYPE OF

LICENSEE LICENSED PREMISES LICENSE LICENSE #

Mama’s Pizza, Inc. 260 Mountain Avenue P R C 2108-33-001-008

 L E O

Apple Food Service 215-225 Mountain Avenue E T N 2108-33-002-007

Of Hackettstown 908-684-5859 N A S

 A I U

David’s Country Inn 314 Main Street R L M 2108-33-006-004 908-850-0224 Y P

 T

Oscjo Enterprises Inc. 169-171 Main Street I 2108-33-004-008 908-852-2446 O

 N

Bea McNally’s Irish Pub 109 Grand Avenue 2108-33-003-013

And Catering, Inc. 908-813-1900

Hackettstown 80-80 Main Street PLENARY 2108-44-005-007

Beverage Inc. 908-852-3511 RETAIL

 DISTRIBUTION

American Legion Willow Grove Street CLUB 2108-31-007-002

Blue Ridge Post #164 908-852-1629

Hackettstown 142 Liberty Street CLUB 2108-31-010-001

Columbus Club, Inc. 908-852-9758

Hackettstown Elks 210 Mountain Avenue CLUB 2108-31-009-002

Lodge #2331 908-852-9723

Loyal Order of 263 Main Street CLUB 2108-31-011-002

Moose Lodge #816

BE IT FURTHER RESOLVED that the effective dates of the foregoing licenses shall be from July 1, 2023 to June 30, 2024.

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

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

Resolution

WHEREAS, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, “An Act concerning certain lead-based paint hazard, and residential rental property, and establishing lead-based paint hazard programs, supplementing P.L. 2023, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;” and

WHEREAS, pursuant to NJSA 52:27D-437.16(b)(1) a municipality that maintains a permanent local agency for the purpose of conducting inspections and enforcing laws ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards in certain specified single-family, two-family, and multiple rental dwellings, at the time periods set forth in the statute; and

WHEREAS, pursuant to NJSA 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by DCA, or enter a shared services agreement as permitted by law, for the purpose of conducting the inspections for lead-based paint hazards; and

WHEREAS, pursuant to Section 9 of P.L. 2021 c. 182, the State of New Jersey has allocated the sum of $3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16). Further, pursuant to the FY 2023 Appropriations Act (P.L. 2022, Chapter 49), DCA received a grant-in-aid amount of $3,900,000 for P.L. 2021, c. 182, for a total of $7,800,000 in appropriations to effectuate the purpose of the Act.

WHEREAS, DCA has allocated $7,000,000 of this appropriation to the development of the Lead Grant Assistance Program (“LGAP”) for the issuance of grant funds to municipalities for the purpose of assisting in municipal compliance with P.L. 2021, c. 182.

WHEREAS, the Division of Local Government Services (DLGS), within DCA, administers the LGAP; and

WHEREAS, the LGAP exists to provide funding to help off-set the costs to municipalities to provide the required inspections at stipulated times of certain single-family, two-family, and multiple rental dwelling units for lead-based paint hazards, pursuant to P.L. 2021, c. 182; and

WHEREAS, an authorized municipal officer must execute the attached grant agreement in order to receive LGAP funding.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of the Town of Hackettstown does hereby authorize the Jerry DiMaio, Mayor to sign the attached grant agreement, and thus bind the Town of Hackettstown to the grant agreement’s terms in order to receive the $10,000 grant from the DLG.

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

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

Resolution

WHEREAS, there is presently pending before the Tax Court of the State of New Jersey, the matters entitled, “Parks Edge, LLC/Willow Grove Holdings, LLC vs. Town of Hackettstown”, which matters pertain to the appeals of the 2020 and 2021 municipal property tax assessments for the property located at Block 44, Lot 3.02 and for the 2020 through 2022 tax years on Block 44, Lot 3.03; and

WHEREAS, a proposed settlement has been reached in this matter through the negotiations of special counsel for the Town of Hackettstown, McKirdy, Riskin, Olson & Della Pelle, P.C., and counsel for the property owner, and the Tax Court of New Jersey having been advised of the facts of the proposed settlement, subject, however, to approval by this governing body; and

WHEREAS, Block 44, Lot 3.02 had an original total assessment for the 2020 through 2021 tax years of $1,182,900.00 (land only); and Block 44, Lot 3.03 had an original total assessment for the 2020 through 2022 tax years of $1,709,900.00.

WHEREAS, the proposed settlement will reduce the assessment on Block 44, Lot 3.02 as follows: 2020 tax year to $900,000.00; 2021 tax year to $850,000.00; and

WHEREAS, the proposed settlement represents a decrease in the assessed value of Lot 3.02 of $282,900.00 for the 2020 tax year and $332,900.00; and

WHEREAS, the total refunds due on Lot 3.02 as a result of the within settlement are as follows:

 2020 tax year $8,851.94

 2021 tax year $10,639.48

Total tax savings for the 2020 and 2021 tax years will be $19,491.42.

WHEREAS, plaintiff has further agreed that the 2020 through 2022 assessments on Block 44, Lot 3.03 shall remain at $1,709,000.00; and

WHEREAS, the taxpayer, as part of the within settlement, will waive any pre-judgment interest due on any refunds provided the refunds are paid within 60 days of the date of entry of judgments by the Tax Court; and

WHEREAS, the within settlement shall be effectuated by way of Stipulation of Settlement executed by counsel for the property owner and special counsel for the Town of Hackettstown, said Stipulation to be filed with the Clerk of the Tax Court and appropriate Judgments to be issued in accordance therewith; and

WHEREAS, the counsel for the Town of Hackettstown, being the governing body of said Town, has deemed it to be in the public interest to approve said settlement; and it appears that the settlement is fair and indicative of the true market value of said property;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Hackettstown by its governing body as follows:

1. The Town Council hereby approves the proposed settlement in these matters as set forth above;
2. The law firm of McKirdy, Riskin, Olson & Della Pelle, P.C., as special counsel for the Town of Hackettstown, is hereby authorized to enter into such Stipulation of Settlement and execute on behalf of the Town all necessary instruments and furtherance thereof;
3. The tax collector and treasurer for the Town of Hackettstown are hereby authorized to issue the refunds due the taxpayer in the within matter for the 2020 and 2021 tax years.

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

 No – Sheldon

Motion was made (Sheldon) and seconded (Becker) to authorize the purchase of a Police Administrative Vehicle from Nielsen of Morristown in the amount of $48,302.45.

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

Motion was made (Sheldon) and seconded (Kunz) to approve the Developer’s Agreement between ST FRA Willow Grove, LLC and the Town of Hackettstown.

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

Motion was made (Sheldon) and seconded (Becker) to approve the Developer’s Agreement between Lion Gate at Musconetcong River Urban Renewal, LLC and the Town of Hackettstown.

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

Motion was made (Sheldon) and seconded (Becker) to approve the School Resource Officer Shared Services Agreement between the Hackettstown Board of Education and the Town of Hackettstown.

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

Motion was made (Sheldon) and seconded (Becker) to approve the request to hold a block party on July 29, 2023 at 3:00 PM at the 300 section of Moore Street.

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

Motion was made (Sheldon) and seconded (Lambo) to approve the Limited Brewery Off Premise Event for Czig Meister Brewing, LLC to hold a Czig Meister Brewing Company 7th Anniversary Celebration on June 10, 2023.

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

Motion was made (Sheldon) and seconded (Becker) to approve Stanton Maney as a member of the Vigilant Hook & Ladder Co. #1.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2023-10 in the amount of $463,762.88.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2023-11 in the amount of $1,964,490.33.

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

Motion was made (Sheldon) and seconded (Becker) to approve the taxi cab driver’s license application for Wilson Tigre Salus, Ada Garcia, Franciso Abad and Andre Abad through May 1, 2024.

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

Motion was made (Sheldon) and seconded (Becker) to hire Alexander DeCairano and Tyler Wickkiser to the positions of Police Officers effective July 1, 2023 at a Step 1 salary of $56,157.40.

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

Motion was made (Sheldon) and seconded (Kunz) to eliminate the Step 1 crossing guard positions and raise the crossing guard salaries to $33.00 per hour.

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

Motion was made (Sheldon) and seconded (Lambo) to appoint Kim Patterson to a full time police secretary position with a starting salary of $45,000 per year and to advertise for a part time police secretary at a starting rate of $18.04 per hour.

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

Motion was made (Sheldon) and seconded (Lambo) to authorize the Police Chief to apply for grant money to put toward an online cloud program to better track and evaluate employees.

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

Motion was made (Sheldon) and seconded (Becker) to appoint Chris Spiegler to the position of Detective Sergeant and Kris Marinelli to the position of Road Sergeant at a step 1 rate effective July 1, 2023.

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

 Abstain – Engelau

Motion was made (Sheldon) and seconded (Kunz) to approve insuring a replacement First Aid Squad vehicle contingent on funding.

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

Mayor DiMaio asked if anyone from the public had any questions at this time.

Anthony Levesque, Hackettstown resident, spoke regarding concerns about the armed personnel at the schools.

Motion was made (Sheldon) and seconded (Lambo) to adjourn this meeting at 7:39 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.

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

Gerald DiMaio, Jr., Mayor P.J. Reilly, Town Clerk/Administrator