August 10, 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 August 10, 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

Motion was made (Sheldon) and seconded (Lambo) to approve the minutes of the regular meeting held on July 13, 2023.

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

Mayor DiMaio opened the public hearing on ordinance #2023-10 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING CHAPTER 10 OF THE TOWN CODE AUTHORIZING NON-RESIDENTS TO BE ACTIVE MEMBERS OF THE FIRE DEPARTMENT, which was introduced and passed on first reading on July 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 comment from the general public, Mayor DiMaio closed the public hearing and discussion returned to Council.

Motion was made (Sheldon) and seconded (Becker) that ordinance #2023-10 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING CHAPTER 10 OF THE TOWN CODE AUTHORIZING NON-RESIDENTS TO BE ACTIVE MEMBERS OF THE FIRE DEPARTMENT, 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 (Lambo) that ordinance #2023-09 entitled, AN ORDINANCE TO AMEND THE ORDINANCE FIXING THE SALARY AND OTHER BENEFITS OF CERTAIN OFFICES 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 PM on September 14, 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: Becker, Engelau, Kunz, Lambo and Sheldon

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

Resolution

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2022 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S 52:27BB-52: A local officer or member of local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Common Council of the Town of Hackettstown, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

Councilperson Tynan entered the meeting at 7:02 PM.

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

WHEREAS, pursuant to NJSA 54:4-66.3d which provides that third quarter property taxes shall not be subject to interest until the later of: August 1; or, the ten-day grace period, as authorized by a resolution of the governing body adopted on January 12, 2023; or the twenty-fifth calendar day after the tax bills were mailed; and,

WHEREAS, the Tax Collector mailed or otherwise delivered the 2023 Final/2024 Preliminary tax bills on July 21, 2023; and, the due date for the third-quarter payment is August 21, 2023, which is more than 25 days from the mailing date of July 21, 2023.

NOW, THEREFORE, BE IT RESOLVED on this 10th day of August 2023 by the Mayor and Common Council of the Town of Hackettstown that the Tax Collector is hereby authorized and empowered, pursuant to NJSA 54:4-66.3d to hold interest charges until after August 21, 2023.

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 CFO has sole authorization to access the Town Checking Accounts electronically for making transfers, viewing deposits and payments, and printing bank statements, etc., and

WHEREAS, there are instances that the CFO is out of the office and there is a need to transfer funds within accounts to cover bills and payrolls, and verity deposits and payments, and

WHEREAS, the Deputy Municipal Treasurer has been trained by the CFO to make these transfers when such need arises,

NOW, THEREFORE BE IT RESOLVED, that Karolina Rodrigues, Deputy Municipal Treasurer, be authorized to access the Town of Hackettstown accounts through the online banking system, for the purposes of transferring funds within municipal accounts in the absence of the CFO.

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

Motion was made (Sheldon) and seconded (Becker) to include the updated policy for cannabis, drug and alcohol in the employee manual.

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

Motion was made (Sheldon) and seconded (Becker) to approve the purchase of security camera systems for the Municipal Buildings from American Protective Systems, Inc. Branchburg, NJ in the amount of $41,126.00.

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

No – Sheldon

Motion was made (Sheldon) and seconded (Tynan) to approve the purchase of Miller Street Firehouse Roof Replacement in the amount of $75,200.00 for a flat roof and $40,098.00 for a pitched roof from White Rock Corp., Old Bridge, NJ.

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

Motion was made (Sheldon) and seconded (Tynan) to approve the purchase of a Fire Department Extrication Tool in the amount of $14,991.00 from Blaze Emergency Equipment Co., Forked River, NJ.

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

Motion was made (Sheldon) and seconded (Becker) to hire Linda Wheaton to the position of part-time Police Clerk at a rate of $18.04 per hour effective August 15, 2023.

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

Motion was made (Sheldon) and seconded (Lambo) to hire Camilo Ocampo Pelaez to the position of crossing guard at a rate of $33.00 per hour effective August 15, 2023.

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

Motion was made (Sheldon) and seconded (Becker) to obtain a certified list for the Sergeant’s position from Civil Service.

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

Motion was made (Sheldon) and seconded (Becker) to approve raffle license #1292 for the Hackettstown High School Football Booster Club, Inc. to hold an on premise raffle, raffle license #1293 for the Hackettstown High School Football Booster Club, Inc. to hold an off premise 50/50, raffle license #1294 for the Soroptimist International of Hackettstown to hold and off premise raffle and raffle license #1295 for the Soroptimist International of Hackettstown to hold an on premise raffle.

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 Wilfredo Contreras to hold a Garage Sale on September 9, 2023, with a rain date of September 16, 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 (Becker) to approve the special event license application for the Hackettstown BID to hold an Oktoberfest on September 29, September 30 and October 1, 2023, to waive the $50.00 application fee and to charge Town costs in the amount of $7,200.00.

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

Motion was made (Sheldon) and seconded (Lambo) that the following areas be designated as “Tow-Away” zones from 9:00 a.m. to 10:00 p.m. on Saturday September 30, 2023 and Sunday October 1, 2023 from 9:00 a.m. to 8:00 p.m.

1. Valentine St between Main St (Route 46) to Madison St; also requesting 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, Sheldon and Tynan

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2023-14 in the amount of $1,267,152.35.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2023-15 in the amount of $3,718,501.03.

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

Motion was made (Sheldon) and seconded (Becker) to approve permit for social affair for Centenary University to hold a Concert-The Company Men on September 23, 2023 with a rain date of September 30, 2023.

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

Abstain – Kunz

Motion was made (Sheldon) and seconded (Lambo) to begin the process to hire a police officer through a department lateral transfer.

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.

Brendan Gubelmann, 45 Musky Ridge Road spoke regarding repairing the pickleball courts.

Motion was made (Sheldon) and seconded (Lambo) to adjourn this meeting at 7:26 PM.

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