September 14, 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 September 14, 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 (Becker) to approve the minutes of the special meeting held on July 19 2023.

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

Motion was made (Sheldon) and seconded (Becker) to approve the minutes of the regular meeting held on August 10, 2023.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo and Sheldon  
  
Mayor DiMaio opened the public hearing on ordinance #2023-09 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, which was introduced and passed on first reading on August 10, 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 (Lambo) that ordinance #2023-09 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 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 (Engelau) to adopt the following resolution:

Resolution

WHEREAS, the cultivation of cannabis and manufacturing of cannabis products are authorized in the State of New Jersey, for medical purposes by the Jake Honig Compassionate Use Medical Cannabis Act, NJSA 24:61-1, et seq. (“Jake Honig Law”), and for adult use purposes by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (“CREAMMA) (the Jake Honig Law and CREAMMA) collectively referred to as the “New Jersey Cannabis Laws”); and

WHEREAS, Town of Hackettstown Ordinance No. 2021-04 authorized the cultivation of cannabis and manufacturing of cannabis products for medical and adult use purposes as a conditional use in the Town’s LM Zone District; and

WHEREAS, on August 24, 2021, the Land Use Board of the Town approved, by Resolution #R2109, the application by GTI New Jersey, LLC (“GTI NJ”) for minor site plan and conditional use approval to locate a facility at 105 Bilby Road, Lot 9 Block 44 (the “Property”) for purposes of cultivating cannabis and manufacturing cannabis products for medical and adult use purposes consistent with Ordnance #2021-04, subject to certain conditions; and

WHEREAS, GTI NJ has since constructed such facility, and satisfied all conditions imposed by the Town; and

WHEREAS, the Town has issued certificates of occupancy for cultivation and manufacturing activities at the Property; and

WHEREAS, on July 29, 2023, the New Jersey Cannabis regulatory Commission (the “CRC”) issued an alternative treatment center (“ATC”) permit to GTI NJ authorizing GTI NJ to operate a medical cultivation facility at the Property; and

WHEREAS, GTI NJ now wishes to cultivate cannabis for adult use as well as medical purposes at the Property; and

WHEREAS, GTI NJ currently possesses an ATC permit and Class 2 Manufacturer License authorizing the manufacture of cannabis products at a different site located in Paterson, New Jersey; and

WHEREAS, GTI NJ now wishes to transfer its current Class 2 Manufacturer License issued for Paterson to the Property,

NOW, THEREFORE BE IT RESOLVED by the Town Council of Hackettstown, in the County of Warren, Sate of New Jersey, as follows:

1. The Town supports the CRC authorizing GTI NJ to commence cultivation of cannabis for adult use purposes at the Property and issue a Class 1 license authorizing same.
2. The Town supports the CRC authorizing GTI NJ to transfer its current Class 2 Manufacturer License so as to authorize the change in location and permit the transfer of its manufacturing operations for medical and adult use purposes to the Property
3. The Council hereby authorizes the Mayor, its solicitor and/or other appropriate officials to issue any letter or affidavit requested or required by the CRC to authorize the issuance of licenses for the cultivation and manufacturing activities described in this Resolution.

This Resolution shall take effect immediately.

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 Tax Collector advises of overpayment of taxes for calendar year 2023 and recommends a refund of overpaid amount.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body to authorize the Chief Financial Officer to make the following refund of taxes:

Block 124, Lot 13 $4,826.78

Bakooz LLC

c/o Mama’s Café Baci

260 Mountain Ave Duplicate payment

Hackettstown, NJ 07840

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

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

Resolution:

WHEREAS, the Department of Veterans Affairs has determined that Daniel Martinez, partial owner of property at Block 119, Lot 1.09, 6 Carriage Road, is totally disabled; and

WHEREAS, due to this determination, Mr. Martinez is not required to pay 50% of the property taxes from May 2, 2023 and is, therefore partially exempt from future tax payments; and

WHEREAS, an overpayment will exist and must now be transferred to future taxes due for 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 50% of the taxes from May 2, 2023 and is hereby authorized to cancel 50% of the first and seconded quarters of 2024.

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

Motion was made (Sheldon) and seconded (Becker) to approve the Developer’s Agreement between Hackettstown Crossings Associates LLC and the Town of Hackettstown.

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

Motion was made (Sheldon) and seconded (Engelau) to appoint Jerome Galante to the permanent civil service position of Library Director, effective immediately.

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

Motion was made (Sheldon) and seconded (Becker) to request a street light from JCP&L to be added to Pole #NJ600HX on Reese Avenue.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the purchase order for a new pool pump and motor with installation from Municipal Maintenance Co. in the amount of $15,160.00.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the permit for social affair for Czig Meister Brewing, LLC to hold a Hackettstown Oktoberfest on September 30, 2023 and October 1, 2023.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the application for the Vigilant Hook & Lader Co. #1 to hold a Coin Toss on November 24, 2023 and November 25, 2023.

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

Motion was made (Sheldon) and seconded (Lambo) to approve the special event license application for Peace NJ to hold a Free Fishing Day on October 21, 2023, to waive 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 Czig Meister to hold an Oktoberfest on September 30, 2023 and October 1, 2023, and to charge Town costs in the amount of $1,785.44.

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

Motion was made (Sheldon) and seconded (Engelau) to approve raffle license #1296 for the Foundation for Hackettstown Medical Center to hold and On Site Basket Raffle.

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

Motion was made (Sheldon) and seconded (Engelau) to approve raffle license #1297 for the Vigilant Hook & Ladder Co. #1 to hold an off premise 50/50.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2023-16 in the amount of $432,467.44.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2023-17 in the amount of $1,985,260.11.

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

Motion was made (Sheldon) and seconded (Lambo) to approve a partial payment for the Nava Construction contract on Grand Avenue in the amount of $ 86,503.96.

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

Motion was made (Sheldon) and seconded (Engelau) to appoint Michael DaRonco to the position of Land Use Board Member, Alternate #4 with a term expiring December 31, 2024.

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

Abstain – Lambo

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

Resolution

WHEREAS, the General Code of the Town of Hackettstown, Chapter 11, Article 1 – Removal of Debris, Plant Growth, Etc. Required authorizes the Department of Public Works to remove debris, brush and obnoxious growth after providing the notice required by the ordinance; and

WHEREAS, the required notice was sent to the below property by certified mail return receipt requested and posted to the property; and

WHEREAS, ten days has elapsed since the notices were mailed and posted; and

WHEREAS, the property owners failed to remove the debris, brush and obnoxious growth within ten days of notice; and

WHEREAS, the Department of Public Works has caused the debris, brush and obnoxious growth to be removed; and

WHEREAS, the Director/Superintendent of the Department of Public Works has certified to the Mayor and Common Council the cost of the removal of the debris, brush and obnoxious growth.

THEREFORE, Be it Resolved by the Mayor and Common Council of the Town of Hackettstown as follows:

1. The certification of the costs of removal of the debris, brush and obnoxious growth has been examined and found to be correct.
2. The tax collector is hereby directed that the following costs shall be charged against the land and shall be added to and become part of the taxes next to be assessed and levied upon such land, to bear interest at the same rate as taxes, and shall be collected and enforced by the tax collector in the same manner as taxes:

Property Address Block Lot Property Owner Cost  
114 Hurley Dr 58 11 John F Cullinane $350.00  
  
Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo and Sheldon

Motion was made (Kunz) and seconded (Sheldon) to permit an increase of hours to 20 hours per week for Police Department Secretary, Linda Wheaton.

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

Motion was made (Sheldon) and seconded (Kunz) to appoint Mark Engelau to the position of Police Sergeant effective October 1, 2023.

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

Abstain – Engelau

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

No one wished to speak at this time.

The Mayor and Council entered into executive session at 7:19 PM to discuss contractual matters.

Motion was made (Sheldon) and seconded (Lambo) to enter back into regular session at 7:29 PM. Town Attorney Fina stated that no action was taken is executive session.

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

Motion as made (Sheldon) and seconded (Engelau) to adjourn this meeting at 7:30 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 P.J. Reilly, Town Clerk/Administrator