March 28, 2019

The Mayor and Common Council convened in open session in the Municipal Building at 215 Stiger Street, Hackettstown, New Jerseyat 7:00 PM on March 28, 2019. The meeting opened

with a salute to the Flag.

Mayor DiGiovanni 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 DiGiovanni, Councilpersons, DiMaio, Engelau, Hinrichs,

 Kunz, Sheldon and Tynan

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

Carmen Todaro, owner of 311 Grand Avenue, provided an update on rehabilitation of said property, which was damaged by fire in January 2018.

Motion was made (Sheldon) and seconded (DiMaio) to approve the minutes of the regular meeting held on March 14, 2019 as submitted.

Roll Call Vote: Yes – DiMaio, Engelau, Hinrichs, Sheldon and Tynan

 Abstain – Kunz

Mayor DiGiovanni opened the public hearing on the 2019 Municipal Budget.

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

Motion was made (Sheldon) and seconded (Engelau) to adopt the 2019 municipal budget.

Roll Call Vote: Yes – DiMaio, Engelau, Hinrichs, Kunz, Sheldon and Tynan

Motion was made (Sheldon) and seconded (Engelau) that ordinance #2019-05 entitled, AN ORDNANCE APPROPRIATING THE TOTAL SUM OF $425,500 FROM GENERAL CAPITAL IMPROVEMENTS OR PURPOSES BY THE TOWN OF HACKETTSTOWN, IN THE 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 PM on April 25, 2019; the Town Clerk to publish the ordinance together with Notice of Hearing in the Daily Record, to post the ordinance an 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 – DiMaio, Engelau, Hinrichs, Kunz, Sheldon and Tynan

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

Resolution

WHEREAS, the salary ordinance for the Town of Hackettstown was adopted by the Mayor and Common Council at a meeting held on March 10, 2016 and amended in 2018; and

WHEREAS, the salary ordinance provides for ranges of salary.

March 28, 2019 (continued)

NOW, THEREFORE, BE IT RESOLVED, that the following 2019 salaries are established for employees currently in the following positions:

Mayor $4,986.00 per year

Council persons (6) $4,360.00 per year

Construction/Subcode Official

And Building Subcode Official $65,539.00 per year

Zoning Officer $41,395.00 per year

Flood Plain Administrator $3,582.00 per year

Zoning Office-part time office assistant $13.42 per hour

Plumbing Subcode Official $18,949.00 per year

Electrical Subcode Official $47.03 per hour

Code Enforcement Official $38.27 per hour

Fire Subcode Official $5,947.00 per year

Fire Subcode Inspector $6,125.00 per year

Construction Code Control person $43,710.00 per year

Construction Code Control person-part time $16.39 per hour

Construction Code Part Time Office Assistant $14.00 per hour

Land Use Secretary $15,450.00 per year

Board of Health:

 Secretary $2,733.00 per year

 Registrar of Vital Statistics $8,945.00 per year

 Deputy Registrar of Vital Statistics $2,563.00 per year

 Alternate Deputy Registrar of Vital Statistics $990.00 per year

Animal Control Officer $11,593.00 per year

Tax Assessor $30,000.00 per year

Tax Assessor Assistant $14.00 per hour

Tax Collector/Tax Search Officer $63,860.00 per year

Town Clerk/Administrator $122,004.00 per year

Deputy Town Clerk $3,985.00 per year

Assessment Search Officer $4,929.00 per year

Administrative Office Secretary $51,410.00 per year

Chief Financial Officer $110,689.00 per year

Qualified Purchasing Agent $5,971.00 per year

Finance Department Assistant $52,014.00 per year

Municipal Court Judge $17,000.00 per year

Municipal Court Administrator $64,543.00 per year

Deputy Court Administrator $44,698.00 per year

Court Recorder-part time $12.11 per hour

Court Guard $134.39 per session

Municipal Court Public Defender $391.40 per court session

Police Chief $124,543.00 per year

Police Department Secretary $53,206.00 per year

Special Police Officer Class II $22.66 per hour

Police Clerk-part time $16.50 per hour

Police Matron $29.85 per hour for 1st two hours

 $23.90 per hour for each hour after

Crossing Guard $17.00 per hour

Crossing Guard (less than one year service) $12.83 per hour

Historic Preservation Commission Clerk $1,175.00 per year

Historic Preservation Commission Secretary $1,175.00 per year

Emergency Management Coordinator $3,577.00 per year

Emergency Management Deputy (2) $994.00 per year

Data Processing Systems Coordinator $2,279.00 per year

Department of Public Works

 DPW Superintendent $93,472.00 per year

Public Works Repairer and Laborer Full Time:

 Ed Syfor $27.07 per hour

Charles Smith $22.14 per hour

Michael Palko, Jr. $20.20 per hour

March 28, 2019 (continued)

Shawn Snyder $19.49 per hour

Rich Bardyszewski $17.84 per hour

Ryan Dimiceli $16.99 per hour

Joseph King $16.50 per hour

Snow plowing, non town employees $28.14 per hour

DPW secretary-part time office assistant $12.31 per hour

Recycling Coordinator $2,877.00 per year

Fire Chief $5,103.00 per year

Deputy Fire Chief $4,119.00 per year

1st Assistant Fire Chief $3,174.00 per year

2nd Assistant Fire Chief $2,207.00 per year

Rental Regulations Officer $5,971.00 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 on March 28, 2019 at the Municipal Building, 215 Stiger Street, Hackettstown, New Jersey.

Roll Call Vote: Yes – DiMaio, Engelau, Hinrichs, Kunz, Sheldon and Tynan

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

Resolution

WHEREAS, there are stale dated checks outstanding in the Town of Hackettstown Municipal Court General Account, and

WHEREAS, every avenue has been extinguished to trace these this checks,

NOW, THEREFORE BE IT RESOLVED, by the Council of the Town of Hackettstown that the following stale dated checks be cancelled and credited to the Town of Hackettstown Surplus;

 Check # Issue Date Amount

2737 9/12/2018 $50.00

2739 9/12/2018 $20.00

2741 9/12/2018 $20.00

2742 9/12/2018 $20.00

2745 9/12/2018 $20.00

2746 9/12/2018 $20.00

2760 9/12/2018 $50.00

Roll Call Vote: Yes – DiMaio, Engelau, Hinrichs, Kunz, Sheldon and Tynan

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2019-05 in the amount of $368,636.56.

Roll Call Vote: Yes – DiMaio, Engelau, Hinrichs, Kunz, Sheldon and Tynan

Motion was made (Sheldon) and seconded (DiMaio) to approve raffle license #1202 for Cataract Hose Co. No. 1 to hold an off premise raffle.

Roll Call Vote: Yes – DiMaio, Engelau, Hinrichs, Kunz and Sheldon

 Abstain – Tynan

Motion was made (Sheldon) and seconded (Tynan) to approve raffle license #1203 for Hackettstown Chapter #2352 Women of the Moose Inc. to hold an on premise raffle.

Roll Call Vote: Yes – DiMaio, Engelau, Hinrichs, Kunz, Sheldon and Tynan

March 28, 2019 (continued)

Motion was made (Hinrichs) and seconded (Sheldon) to approve the special event license application for Marty’s Reliable Cycle to hold a Spring Classic Riding event on April 14, 2019, to charge the $50.00 application fee and charge no Town costs.

Roll Call Vote: Yes – DiMaio, Engelau, Hinrichs, Kunz, Sheldon and Tynan

Motion was made (Hinrichs) and seconded (Sheldon) to approve the special event license application to hold a Ginger Gormley Scholarship 5K Run/Walk on May 5, 2019, to waive the $50.00 application fee and to charge no Town costs.

Roll Call Vote: Yes – DiMaio, Engelau, Hinrichs, Kunz, Sheldon and Tynan

Motion was made (Hinrichs) and seconded (Sheldon) to approve the special event license application for Centenary University to hold a Cars for a Cause classic and exotic car show on April 27, 2019, to waive the $50.00 application fee and to charge no Town costs.

Roll Call Vote: Yes – DiMaio, Engelau, Hinrichs, Sheldon and Tynan

 Abstain – Kunz

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

Resolution

BE IT RESOLVED BY THE MOTION AND COMMON COUNCIL OF THE TOWN OF HACKETTSTOWN AS FOLLOWS:

1. That the public be excluded from attendance at a portion of it s meeting to be held on March 28, 2019 for the reason that the following subject matter will be discussed:

CCO Fee

311 Grand Avenue

Police Department Negotiations

1. The Mayor and Common Council may exclude the public from the meeting pursuant to section 10:4-12(b) of the Open Public Meetings Law.
2. Matters to be discussed will be revealed to the public after Council determines action to be taken, if any, and other litigation has been resolved and employees involved contacted.

Roll Call Vote: Yes – DiMaio, Engelau, Hinrichs, Kunz, Sheldon and Tynan

The meeting was closed at 7:31 PM and reopened at 8:06 PM. The Mayor stated that no formal action was taken by the Council during Executive Session.

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

Resolution

WHEREAS, the Town of Hackettstown as Redevelopment Entity and 2016 Mountain Hackettstown, LLC, as Redeveloper and Lion Gate at Musconetcong River, LLC, as Residential Developer have entered into a Redevelopment Agreement governing development of Property located at 301 Mountain Avenue (Lot 9.01 Block 125) in the Town of Hackettstown, Warren County, New Jersey, all per Redevelopment Plan adopted on January 11, 2017; and

WHEREAS, pursuant to various land use approvals granted to the redevelopment project by the Planning Board of the Town of Hackettstown, preliminary and final major subdivision, together with preliminary and major site plan application, was granted to 2016 Mountain Hackettstown, LLC, to allow of the construction of a Wawa convenience store with fuel dispensing; and

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WHEREAS, additional sit plan approval has been granted to Lion Gate at Musconetcong River, LLC, to allow for the construction of residential apartment and associated site improvements on the portion of the Property subdivided form the Wawa parcel; and

WHEREAS, Article 9 of the Redevelopment Agreement addresses permitted restrictions on transfer prior to the issuance of a certificate of completion for the Project or any part thereof, all as defined by the scope covered by and permitted by law and the Redevelopment Agreement. Section 9.01 specifically provides that “Redevelopers shall be without power to sell, lease or otherwise transfer the Project or any such part, without the written consent of the Town, which consent shall not be unreasonably withheld, delayed or conditioned”; and

WHEREAS, 2016 Mountain Hackettstown, LLC, as Redeveloper has requested consent of the Town to permit a transfer within the next 30 days of the property known as the Wawa Parcel; and

WHEREAS, any successor, in whole or part, to 2016 Mountain Hackettstown, LLC shall be continue to be bound by the provisions contained within all applicable Developers and Redevelopers Agreements, and the covenants and restrictions therein; and

WHEREAS, its professional team has requested confirmation of all outstanding site work provisions for which it is responsible pursuant to the reference Redevelopment Agreement; and

WHEREAS, 2016 Mountain Hackettstown, LLC, as Redeveloper has committed to staying as the responsible party for completion of all outstanding items as defined by Town Engineer, Paul Sterbenz, P.E. , in connection with the site plan and related permits; and

WHEREAS, Engineer Sterbenz, has advised counsel for 2016 Mountain Hackettstown, LLC, that an acceptable condition for his support of the Town’s consent for a permitted transfer prior of issuance of the certificate of completion includes complete and final installation of all outstanding site and related work to be completed by both Wawa and 2016 Mountain Hackettstown, LLC and their respective representatives, agents and professionals, no later than May 31, 2019, and that a meeting on the site be confirmed for a date no later than April 11, 2019, to be attended by representatives of both Wawa and 2016 Mountain Hackettstown, LLC, with full authority to confirm completion dates for any and all outstanding work, as of the meeting date, said meeting to also be attended by the Police Traffic Officer and Soil Conservation District representatives, all to be invited by Engineer Sterbenz.

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

1. The aforementioned recitals are incorporated in their entirety as though set forth at length herein.
2. 2016 Mountain Hackettstown, LLC is hereby granted consent by the Town of Hackettstown to transfer a portion of this interest in the aforementioned redevelopment of B. 125, L. 9.01 subject to the foregoing recitals.
3. This Resolution shall take effect in accordance with applicable law.

Roll Call Vote: Yes – DiMaio, Engelau, Hinrichs, Kunz, Sheldon and Tynan

Motion was made (Sheldon) and seconded (Engelau) to adjourn this meeting at 8:08 PM.

Roll Call Vote: Yes – DiMaio, Engelau, Hinrichs, Kunz, 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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Maria DiGiovanni, Mayor William Kuster, Jr., Town Clerk