

November 26, 2018

The Mayor and Common Council convened in open session in the Municipal Building at 215 Stiger Street, Hackettstown, New Jersey at 7:00 PM on November 26, 2018. 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, Sheldon and Tynan

Absent – Councilpersons Kunz and Lambo

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

No one wished to speak at this time.

Motion was made (Sheldon) and seconded (Engelau) to approve the minutes of the regular meeting on November 8, 2018 as submitted.

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

Motion was made (Sheldon) and seconded (Engelau) that ordinance #2018-18 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING SECTION 1002 (ENFORCEMENT) OF THE TOWN LAND DEVELOPMENT CODE TO REQUIRE THE ISSUANCE OF A CERTIFICATE OF CONTINUING OCCUPANCY OF RESIDENTIAL AND COMMERCIAL PROPERTIES, be introduced and passed on first reading and that a public hearing be held thereon and it be considered for final passage at 6:30 PM on December 27, 2018; 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 -DiMaio, Engelau, Sheldon and Tynan

Motion was made (Sheldon) and seconded (Tynan) that ordinance #2018-19 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY (TRUCK) NO LONGER NEEDED FOR PUBLIC USE,

be introduced and passed on first reading and that a public hearing be held thereon and it be considered for final passage at 6:30 PM on December 27, 2018; 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, Sheldon and Tynan

Abstain – DiMaio

Motion was made (Sheldon) and seconded (Engelau) that ordinance #2018-20 entitled, AN ORDINANCE TO APPROVE AND ADOPT THE 2019 BUDGET FOR THE HACKETTSTOWN BUSINESS IMPROVEMENT DISTRICT, NC., be introduced and passed on first reading and that a public hearing be held thereon and it be considered for final passage at 6:30 PM on December 27, 2018; the Town Clerk to publish the ordinance together with Notice  
November 26, 2018 (continued)

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 -DiMaio, Engelau, Sheldon and Tynan

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

#### Resolution

WHEREAS, the Department of Veteran Affairs has determined that Christopher Dziergoski, owner of property at Block 127, Lot 8352 Mitchell Road, Hackettstown, New Jersey 07840, is totally disabled; and

WHEREAS, due to this determination, Mr. Dziergoski is not required to pay property taxes from September 27, 2018 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 disable veteran:

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the Tax Collector is released from collecting the taxes for the first and second quarters of 2019 and is hereby authorized to cancel the amount due from the tax record. Also the Governing Body authorizes the Chief Financial Officer to make a refund of taxes as follows:

Block	Lot	Assessed to	Amount
127	83	Dziergoski, Christopher	\$1,935.22

Roll Call Vote: Yes -DiMaio, Engelau, Sheldon and Tynan

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

Resolution

WHEREAS, the Tax Collector of the Town of Hackettstown has been paid the amount necessary to redeem with interest calculated in accordance with the New Jersey Statutes on property known on the Tax Map and in the Tax Duplicate as the following municipal lien:

Block 121, Lot 3.19                      100 Mountain Ct.  
Tax Sale Certificate #17-00130  
Assessed to: Alaska Holdings LLC  
                    270 S. Sparta Ave Suite 104  
                    Sparta, NJ 07871

NOW THEREFORE BE IT RESOLVED, on this 26<sup>th</sup> day of November 2018 that he Chief Financial Officer is hereby authorized to issue a check for \$15,244.66 to the lienholder:

US BankCusst for PC7 Firstrust Bank  
c/o Pro Capital  
1000 Haddonfield Berlin Rd, Suite 203  
Vorhees, NJ 08043

Roll Call Vote: Yes -DiMaio, Engelau, Sheldon and Tynan

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

Resolution

WHEREAS, the Tax Collector advises of overpayment of taxes due to New Jersey State tax appeal judgments and recommends a refund of the overpaid amount.

November 26, 2018 (continued)

NOW THEREFORE BE IT RESOLVED by the Governing Body to authorize the Chief Financial Officer to make the following refunds of taxes as follows:

Block	Lot	Refund to	Year	Amount
75	8	DM Development Group LLC	2010	\$ 774.27
		15 Hickory Dr	2011	\$ 782.78
		Chester, NJ 07930	2012	<u>\$ 309.19</u>
				\$1,866.24

Roll Call Vote: Yes -DiMaio, Engelau, Sheldon and Tynan

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

## Resolution

WHEREAS, the Town of Hackettstown (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in NJSA 40A:10-36 et seq.; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk Management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

WHERE, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Warren and State of New Jersey, as follows:

- Town of Hackettstown (Local Unit) hereby appoints Randall W. May its Risk Management Consultant.
- The Mayor (authorized representative of the public entity) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2019 in the form attached hereto.

Roll Call Vote: Yes -DiMaio, Engelau, Sheldon and Tynan

Motion was made (Sheldon) and seconded (Tynan) to approve the 2019 Risk Management Consultant’s agreement.

Roll Call Vote: Yes -DiMaio, Engelau, Sheldon and Tynan

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

## Resolution

WHEREAS, the Town of Hackettstown (hereinafter “Local Unit”) is a member of the statewide Insurance Fund (hereinafter “Fund”), a joint insurance funds as defined in NJSA 40A:10-36 et seq.; and

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Town of Hackettstown that Eric Tynan is hereby appointed as the Fund Commissioner of the Local Unit of the Fund Year 2019; and

BE IT FURTHER RESOLVED that \_\_\_\_ is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the Fund Year 2019; and  
November 26, 2018 (continued)

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

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

Motion was made (DiMaio) and seconded (Sheldon) to renew a shared service agreement with Mount Olive Township for Fire Official and Fire inspection Services to Hackettstown.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2018-21 in the amount of \$502,404.01.

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

Motion was made (Sheldon) and seconded (Engelau) to award the 2017 DPW supplies and services contracts: Spring and Fall Cleanup to Global Waste, Garbage Services to Global Waste, Oil Burner Service to TGM, Plumbing Service to TGM, Leaf Trucking to All Terrain Excavating, Uniform Rental to Unifirst and Mat Rental to Unifirst.

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

Motion was made (Sheldon) and seconded (DiMaio) to approve a purchase order for the Fire Department from Firefighter 1 for turnout gear in the amount of \$10,081.20.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the taxi cab drivers license application for Hisham Ellayen through May 1, 2019.

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

Motion was made (Sheldon) and seconded (DiMaio) to hire Joe King, Jr. to the position of DPW Laborer effective December 3, 2018 at \$16.50 per hour.

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

Motion was made (Sheldon) and seconded (DiMaio) to adjourn this meeting at 7:16 PM.

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

This is to certify that the  
ordinances and resolutions  
contained herein have been  
approved by me in accordance  
with law.

---

Maria DiGiovanni, Mayor

This is to certify that all  
proper notices, postings and  
filings required by the Open  
Public Meetings Act (Chapter  
231, P.L. 1975) were provided  
for this meeting.

---

William Kuster, Jr., Town Clerk