

September 27, 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 September 27, 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, Kunz, Lambo Sheldon and Tynan

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 (Lambo) and seconded (Kunz) to adopt the following resolution:

#### Resolution

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

- That the public be excluded from attendance at a portion of its meeting to be held on September 27, 2018 for the reason that the following subject matter will be discussed:

#### COAH Litigation

- 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.
- 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, Kunz, Lambo, Sheldon and Tynan

The meeting was closed at 7:01 PM and reopened at 7:43 PM. The Mayor stated that no formal action was taken by Council during Executive Session.

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

#### Resolution

WHEREAS, the Warren County Board of Chosen Freeholders, along with the Warren County Department of Human Services, supports the designation of Stigma-Free Communities in every municipality, and;

WHEREAS, the Warren County Board of Chosen Freeholders unanimously passed a resolution supporting the designation of Warren County as a Stigma-Free Community, and;

WHEREAS, Warren County recognizes that one in four Americans has experienced mental illness, including substance use disorders, in a given year according to the National Institute of Mental Health, and;

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WHEREAS, mental health problems are more common than cancer and heart disease combined, affecting children and adults, including more than half of our Iraq and Afghanistan Veterans treated at Veteran's Administration hospitals, and;

WHEREAS, given the serious nature of this public health problem, we must continue to reach the millions who need help, and;

WHEREAS, the stigma associated with the disease of mental illness is identified as the primary reason individuals fail to seek the help they need to recover from the disease, and;

WHEREAS, Stigma-Free Communities aim to inspire public interest and open dialogues about stigma, raise awareness of the disease of mental illness and create a culture wherein residents who have the disease of mental illness feel supported by their community and neighbors and feel free to seek treatment for the disease without fear of stigma, and;

WHEREAS, promoting awareness that there can be no “health” without mental health will break down barriers and encourage residents of all ages to be mindful of their mental health and ask for help when needed, and

WHEREAS, local resources are available to treat the disease of mental illness so no one resident needs to suffer alone or feel hopeless, and

WHEREAS, establishing Stigma-Free Communities will raise awareness of resources and encourage residents to engage in care as soon as the need is identified so recovery can begin, hope is inspired and tragedies are avoided, and;

NOW THEREFORE BE IT RESOLVED that the Town of Hackettstown recognizes the community needs and supports the efforts of the County of Warren in designating Hackettstown as a Stigma-Free Community.

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

Mayor DiGiovanni presented a proclamation in recognition of Hackettstown being a Stigma Free Community.

Mayor DiGiovanni presented a proclamation in recognition of Bob Sheldon Root Beer Barrel Day.

Motion was made (Sheldon) and seconded (Engelau) to approve the minutes of the regular meeting held on September 13, 2018 as submitted.

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

Abstain – DiMaio and Tynan

Motion was made (Sheldon) and seconded (Lambo) to approve the minutes of the executive session held on September 13, 2018 as submitted.

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

Abstain – DiMaio and Tynan

Mayor DiGiovanni opened the public hearing on ordinance #2018-13 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING SECTION 105 (PROHIBITED USES) OF THE TOWN LAND DEVELOPMENT ORDINANCE, which was introduced and passed on first reading on August 9, 2018 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.

September 27, 2018 (continued)

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

Motion was made (Lambo) and seconded (DiMaio) that ordinance #2018-13 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING SECTION 105 (PROHIBITED USES) OF THE TOWN LAND DEVELOPMENT ORDINANCE, be adopted on second and final reading and that Notice of Final Adoption be published.

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

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

Resolution

WHEREAS, certain properties must be added or deleted from the Business Improvement District listing; and

WHEREAS, the following properties must be added due to change in classification:

Block 2, Lot 1	Five Investors Inc. 901 High Street
Block 41.02, Lot 28	Rose Lane Associates LLC 23 Stiger Street
Block 129, Lot 17	Prim Acres/Auto Zone 310 Mountain Avenue

NOW, THEREFORE, BE IT RESOLVED on this 27<sup>th</sup> day of September 2018 by the Mayor and Common Council of the Town of Hackettstown that the above changes are in effect.

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

Motion was made (Sheldon) and seconded (Tynan) 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 ben extinguished to trace these/this checks,

NOW THEREFORE BE IT RESOVLED 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
2671	11/6/2017	\$1.00
2692	3/5/2018	\$30.00
2694	3/5/2018	\$1.00

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

Motion was made (Engelau) and seconded (DiMaio) to approve check register #2018-17 in the amount of \$344,893.92.

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

Motion was made (Sheldon) and seconded (Engelau) to approve raffle license #1190 for Centenary University to hold a Tricky Tray and raffle license #1191 for Centenary University to hold an on premise 50/50.

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

Abstain – Kunz

Motion was made (Sheldon) and seconded (DiMaio) to approve the taxi cab drivers license application for Rafael Garcia through May 1, 2019.

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

Motion was made (Kunz) and seconded (DiMaio) to authorize the Town Attorney to prepare an ordinance to include First Avenue, from Grand Avenue to Moore Street, as a permit parking area only.

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

Motion was made (Kunz) and seconded (Sheldon) to authorize the Town Attorney to prepare an ordinance restricting parking on a portion of Arthur Terrace and Mitchell Road.

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

Motion was made (Kunz) and seconded (Sheldon) to authorize the Town Attorney to prepare an ordinance for a certificate of occupancy (CCO) requirement with the fee to be \$125.00.

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

Motion was made (Kunz) and seconded (Sheldon) to authorize the Town Attorney to prepare and ordinance requiring property owners to have property taxes current prior to issuance of permits or licenses.

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

Motion was made (DiMaio) and seconded (Sheldon) to approve the appointment of James Carkhuff as a member of the Fire Department.

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

Motion was made (DiMaio) and seconded (Sheldon) to approve the appointment of Brian Gerges as a member of the Fire Department.

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

Motion was made (Lambo) and seconded (Sheldon) to adjourn this meeting at 8:29 PM.

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

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

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.

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Maria DiGiovanni, Mayor

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William Kuster, Jr., Town Clerk