

April 13, 2017

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 April 13, 2017. 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, Engelau, Kunz, Lambo, Sheldon and Tynan

Absent – Councilperson DiMaio

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

Richard Buschgans, 132 East Prospect Street, requested to allow Elizabethtown Gas permission to open East Prospect Street to install a gas line for his new furnace installation.

Motion was made (Sheldon) and seconded (Kunz) to grant a waiver for a 132 East Prospect Street opening for the installation of a gas line by Elizabethtown Gas Company.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the minutes of the regular meeting held on March 23, 2017 as submitted.

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

Mayor DiGiovanni opened the public hearing on ordinance #2017-08 entitled, AN ORDINANCE OF THE TOWN OF Hackettstown AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY (LEAF MACHINE) NO LONGER NEEDED FOR PUBLIC USE, which was first introduced and passed on first reading on March 23, 2017 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 comments from the public, Mayor DiGiovanni closed the public hearing and discussion returned to council.

Motion was made (Sheldon) and seconded (Tynan) that ordinance #2017-08 entitled, AN ORDINANCE OF THE TOWN OF Hackettstown AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY (LEAF MACHINE) NO LONGER NEEDED FOR PUBLIC USE, be adopted on second and final reading and that Notice of Final Adoption be published.

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

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

April 13, 2017 (continued)

Block 52, Lot 1 434-436 Sharp Street
Tax Sale Certificate #16-00118
Assessed to: Swackhamer, Guy D.
8 Ryan Way
Hackettstown, NJ 07840

NOW THEREFORE BE IT RESOLVED on this 13th day of April, 2017 that the Chief Financial Officer is hereby authorized to issue a check for \$18,872.48, plus premium of \$26,500.00 for a total of \$45,372.48 to the lien holder:

Christina Trust C/F C&E Tax
Lien Fund 1/Firsttrust Bank
PO Box 5021
Philadelphia, PA 19111-5021

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

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

Resolution

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2016 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycle and to indicate the assent of the Town of Hackettstown to the to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE BE IT RESOLVED by the Town of Hackettstown Committee of the Town of Hackettstown that the Town of Hackettstown hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates JoAnn Fascenelli, CRP to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

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

Resolution

April 13, 2017 (continued)

WHEREAS, the Town of Hackettstown (HEREINAFTER “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund 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 for the Local Unit for the year 2017; and

BE IT FURTHER RESOLVED that _____ is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2017; and

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 – Engelau, Kunz, Lambo and Sheldon

Abstain – Tynan

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

Resolution

WHEREAS, there is an account on the Current Fund Balance Sheet entitled Accounts Payable, and

WHEREAS, a review of these prior year’s purchase orders has determined that these commitments are no longer valid and the purchase orders should be cancelled.

NOW THEREFORE, BE IT RESOLVED that the following Accounts Payable be cancelled and the funds credited to surplus;

\$2,672.00	Ruderman & Glickman	PO 11000752
\$656.00	Motorola	PO 13001658
\$2,718.00	Wire’s Electric	PO 12001635

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

Motion was made (Sheldon) and seconded (Lambo) to approve the Emergency generator Installation contract with Maser Consulting in the amount of \$19,500.00.

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

Motion was made (Sheldon) and seconded (Tynan) to approve the Rights of Way Use Agreement with Verizon Wireless.

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

Motion was made (Sheldon) and seconded (Lambo) that ordinance #2017-09 entitled, AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$259,150 INCLUDING \$256,150 FROM GENERAL CAPITAL IMPROVEMENT FUND, AND \$3,000 DONATION FROM M&M MARS CORP, FOR THE FUNDING OF VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES BY THE TOWN OF Hackettstown, IN 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 27, 2017; 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.

April 13, 2017 (continued)

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

Motion was made (Sheldon) and seconded (Engelau) that ordinance #2017-10 entitled, AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$282,000 FROM VARIOUS SOURCES FOR THE PURPOSE OF INSTALLATION OF LIGHTING AT TANNERY FIELD, BY THE TOWN OF HACKETTSTOWN, IN 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 27, 2017; 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, Lambo, Sheldon and Tynan

Abstain – Kunz

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2017-06 in the amount of \$2,982,530.62.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the taxi cab driver's application for Bolivar Chinchilla Mora, Marenann Dowhanik, Maggie Yoza, effective from May 1, 2017 through May 1, 2018.

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

Motion was made (Sheldon) and seconded (Tynan) to approve raffle license #1144 for the Church of the Assumption of the Blessed Virgin Mary to hold a Silent Auction and raffle license #1145 for the Church of the Assumption of the Blessed Virgin Mary to hold an on premise 50/50.

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

Motion was made (Sheldon) and seconded (Lambo) to approve raffle license #1146 for the New Jersey Civic Youth Ballet to hold an on premise 50/50 and raffle license #1147 for the New Jersey Civic Youth Ballet to hold an off premise raffle.

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

Motion was made (Lambo) and seconded (Sheldon) to approve the special event license application for the Hackettstown Business Improvement District to hold a Spring Festival on May 5, 6 and 7, 2017, to waive the \$50.00 application fee and to charge Police costs in the amount of \$7,319.16.

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

Motion was made (Lambo) and seconded (Sheldon) to approve the special event license application for the Hackettstown Business Improvement District to hold a 1st Annual Maifest on May 20, 2017, to waive the \$50.00 application fee and to charge Police costs in the amount of \$1,121.90.

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

Motion was made (Lambo) and seconded (Sheldon) to approve the special event license application for the Hackettstown Coed Softball League to hold a Mother's Day Tournament on May 13, 2017, to waive the \$50.00 application fee and to charge no Town costs.

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

April 13, 2017 (continued)

Motion was made (Lambo) and seconded (Sheldon) to approve the special event license application to hold a Ginger Gormley Scholarship Fund 5KRun/Walk on May 7, 2017, to waive the \$50.00 application fee and to charge no Town costs.

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

Motion was made (Lambo) and seconded (Sheldon) to approve the special event license application for the Hackettstown/Mansfield PBA to hold a Softball Tournament on April 22, 2017, to waive the \$50.00 application fee and to charge no Town costs.

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

Abstain – Engelau

Motion was made (Tynan) and seconded (Sheldon) that the following areas be closed and designated as Tow-Away zones from 11:00 AM to 10:00 PM on May 20, 2017:

1. Valentine Street from Route 46 to Madison Street
2. Grand Avenue from Route 46 to Washington Street
3. Washington Street from Grand Avenue to Valentine Street

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

Motion was made (Tynan) and seconded (Lambo) that the following areas be designated as Tow-Away zones from 8:00 AM to 12:00 PM on May 29, 2017:

1. Main Street (Rt. 46) from Grand Avenue to Rt. 182; both sides
2. Willow Grove Street from Rt. 46 to Franklin Street; both sides
3. Franklin Street from Willow Grove Street to Liberty Street; both sides
4. Liberty Street from Rt. 46 to Franklin Street; both sides
5. Washington Street from Valentine Street to Grand Avenue; both sides
6. Washington Street from Warren Street to Bells Lane; both sides
7. Bells Lane from Washington Street to Rt. 182; both sides
8. Rt. 182 (Mountain Avenue) from its intersection with Rt. 46 South to the cemetery gates; both sides
9. Victoria Lane – the entire length; both sides
10. Valentine Street from Rt. 46 to Beatty Street; both sides

Motion as made (Sheldon) and seconded (Kunz) to adjourn this meeting at 7:50 PM.

Roll Call Vote: Yes – 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.

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