

January 26, 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 January 26, 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 DiMaio, Engelau, Kunz, Lambo, Sheldon and Tynan

A presentation was given by a representative of the Hackettstown Medical Center regarding Narcan packets and dosages.

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

Peter Paftinos, owner of property on Bilby Road approved for apartments, requested a lowering of the COAH Housing requirements his father agreed to previously on this project.

Discussion was held with Joe Yapaola, on behalf of the Recreation Commission, regarding any interest the Commission may have in using and maintaining a section of the old Bergen Tool property.

Mayor DiGiovanni presented a proclamation in recognition of School Choice Week.

Motion was made (Sheldon) and seconded (Engelau) to approve the minutes of the regular meeting held on December 29, 2016 as submitted.

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

Abstain – Lambo

Motion was made (Sheldon) and seconded (Engelau) to approve the minutes of the executive session held on December 29, 2016 as submitted.

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

Abstain – Lambo

Motion was made (Sheldon) and seconded (Tynan) to approve the minutes of the regular meeting held on January 1, 2017 as submitted.

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

Abstain – Lambo

Motion was made (Sheldon) and seconded (Engelau) to approve the minutes of the regular meeting held on January 12, 2017 as submitted.

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

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

January 26, 2017 (continued)

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 74, Lot 4.01 120 Main Street
Tax Sale Certificate #16-00123
Assessed to: Marjie, Nicolas
18 Luff Road
Boonton, NJ 07005

NOW, THEREFORE, BE IT RESOLVED on this 26th day of January, 2017 that the Chief Financial Officer is hereby authorized to issue a check for \$18,486.90, plus premium of \$34,000.00 for a total of \$52,486.90 to the lien holder:

FWDSL & Associates, LP
17 West Cliff Street
Somerville, NJ 08876

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 132, Lot 8 16 Route 57
Tax Sale Certificate #16-00129
Assessed to: Saltz, Arthur
16 Route 57
Hackettstown, NJ 07840

NOW, THEREFORE, BE IT RESOLVED on this 26th day of January, 2017 that the Chief Financial Officer is hereby authorized to issue a check for \$31,824.95, plus premium of \$43,000.00 for a total of \$74,824.95 to the lien holder:

Ebury Fund 1NJ LLC
PO Box 37695
Baltimore, MD 21297-3695

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, the Town of Hackettstown has been notified that Bank of America will no longer be handling our Developers escrow accounts effective February 15, 2017.

NOW THEREFORE BE IT RESOLVED, by the Council of the Town of Hackettstown that effective January 27, 2017, Fulton Bank of New Jersey is hereby designated as the official depository for the Town of Hackettstown developer's escrow account, transferring all funds from Bank of America no later than February 15, 2017.

The following town officials are hereby authorized to sign checks where a combination of three principal signatures are required.

Gerald DiMaio, Jr., William W. Kuster, Jr., Danette Dyer and Paola J. Reilly

January 26, 2017 (continued)

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

Motion as made (Engelau) and seconded (Sheldon) to approve check register #2017-01 in the amount of \$1,966,082.95

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

Motion was made (Sheldon) and seconded (Kunz) to approve the Recreation Department purchase requisition for fertilizer supplies in the amount of \$13,674.40 from Grass Roots Lawn Sports Turf Division, Randolph, New Jersey.

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

Motion was made (Sheldon) and seconded (Lambo) to approve raffle license #1137 for the Hackettstown Elementary PTA to hold a tricky tray and raffle license #1138 for the Hackettstown Elementary PTA to hold an on premise 50/50.

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

Motion was made (Sheldon) and seconded (Tynan) to approve raffle license #1139 for Newton Medical Center Foundation to hold an off premise 50/50 and raffle license #1140 for Newton Medical Center Foundation to hold an off premise raffle.

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

Abstain – Kunz

Motion was made (Sheldon) and seconded (Engelau) to approve the application for social affair permit for Newton Medical Center Foundation to hold a Food and Wine Tasting on May 18, 2017.

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

Abstain – Kunz

Motion was made (Sheldon) and seconded (Lambo) that ordinance #2017-03 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN ESTABLISHING CHAPTER 6C OF THE CODE OF THE TOWN OF HACKETTSTOWN REGULATING ANIMAL WELFARE, 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 February 9, 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 member of the general public who request such copies.

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

Motion was made (Sheldon) and seconded (Lambo) that ordinance #2017-04 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN ESTABLISHING ARTICLES 7 & 8 OF CHAPTER 7 OF THE CODE OF THE TOWN OF HACKETTSTOWN REGULATING VACANT/ABANDONED PROPERTIES WITHIN THE TOWN OF HACKETTSTOWN, 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 February 9, 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 member of the general public who request such copies.

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

January 26, 2017 (continued)

Motion was made (Sheldon) and seconded (DiMaio) that ordinance #2017-05 entitled, AN ORDINANCE OF THE TOWN OF Hackettstown INCREASING THE RATE OF COMPENSATION TO THE POLICE DEPARTMENT FOR SERVICES ON ROAD WORK, 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 February 9, 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 member of the general public who request such copies.

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

Motion was made (Sheldon) and seconded (Kunz) that ordinance #2017-06 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN ADOPTING THE REDEVELOPMENT PLAN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, NJSA 40A:12A-1, IT SEQ., FOR PROPERTY LOCATED AT BLOCK 125, LOT 9.01, 301 MOUNTAIN AVENUE, 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 February 9, 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 member of the general public who request such copies.

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

Mayor DiGiovanni opened the public hearing on ordinance #2017-02 entitled, AN ORDINANCE OF THE TOWN OF Hackettstown AMENDING SCHEDULE IX OF CHAPTER 13 (ENTITLED “TRAFFIC AND PARKING”) OF THE TOWN ORDINANCES, which was introduced and passed on first reading on January 26, 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 member soft h general public who requested such copies.

Darrin Matusiewicz, 93 E. Stiger Street, requested an overview of the proposed ordinance.

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

Motion was made (Sheldon) and seconded (DiMaio) that ordinance #2017-02 entitled, AN ORDINANCE OF THE TOWN OF Hackettstown AMENDING SCHEDULE IX OF CHAPTER 13 (ENTITLED “TRAFFIC AND PARKING”) OF THE TOWN ORDINANCES, 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 approve the taxi owner’s transfer application for Sissy’s Taxi for a 2006 Honda, VIN #25FNRL38666B458693 effective through May 1, 2017.

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

Motion was made (Lambo) and seconded (Sheldon) to approve the special event application for the Hackettstown Business Improvement District to hold a Winterfest 2017 on February 18, 2017, to waive the \$50.00 application fee and to charge no Town costs.

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

January 26, 2017 (continued)

Motion was made (Lambo) and seconded (Sheldon) to approve the special event application for the Hackettstown Business Improvement District to hold a St. Patrick's Day Parade on March 12, 2017, to waive the \$50.00 application fee and to charge no Town costs.

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

Motion was made (Lambo) and seconded (Sheldon) to approve the special event application for the Care Net to hold a Walk For Life on May 6, 2017, to waive the \$50.00 application fee and to charge no Town costs.

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

Motion was made (Lambo) and seconded (Sheldon) to approve the special event application for the Special Olympics of NJ to hold a Special Olympics event on May 6, 2017, to waive the \$50.00 application fee and to charge no Town costs.

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

Motion was made (Lambo) and seconded (Sheldon) to approve the special event application for Smiles for Margaret to hold a 5K Walk/Run on November 25, 2017, to waive the \$50.00 application fee and to charge no Town costs.

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

Motion was made (Sheldon) and seconded (Lambo) to designate the Express-Times as a second official newspaper for Town publication of notices for 2017.

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

Motion as made (DiMaio) and seconded (Sheldon) to designation the following areas as no Parking "Two-Away" zones from 2:00 PM to 6:00 PM on Sunday March 12, 2017.

1. Rt. 46 between Grand Avenue and Rt. 182; both sides
2. Willow grove Street between Rt. 46 and Franklin Street; both sides
3. Franklin Street between Willow Grove Street and Liberty Street; both sides
4. Liberty Street between Rt. 46 and Franklin Street; both sides
5. Washington Street between Valentine Street and Grand Avenue; both sides
6. Washington Street between Warren Street and Bells Lane; both sides
-Washington St. northbound to be closed.
7. Bells Lane between Washington Street and Rt. 182; both sides
-Bells Lane westbound to be closed
8. Rt. 182 between Rt. 46 and Bells Lane; both sides
9. Valentin St. between Rt. 46 and Beatty St.; both sides

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

Mayor DiGiovanni appointed Jerry DiMaio and Darren Tynan to the positon of Deputy OEM coordinators with a term expiring December 31, 2017.

Motion was made (Engelau) and seconded (Lambo) to confirm Mayor DiGiovanni's appointment of Jerry DiMaio and Darren Tynan to the positon of Deputy OEM coordinators with a term expiring December 31, 2017.

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

Abstain – DiMaio

Motion was made (Sheldon) and seconded (Engelau) to adjourn this meeting at 8:02 Pm.

January 26, 2017 (continued)

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.

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