

October 12, 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 October 12, 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, Sheldon and Tynan

Absent – Councilperson 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 (Tynan) to approve the minutes of the regular meeting held on September 28, 2017 as submitted.

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

Mayor DiGiovanni opened the public hearing on ordinance #2017-12 entitled, AN ORDINANCE TO AMEND THE ORDINANCE FIXING THE SALARY AND OTHER BENEFITS OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWN OF HACKETTSTOWN, NEW JERSEY FOR THE YEAR 2017, which was introduced and passed on first reading on September 14, 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 (DiMaio) that ordinance #2017-12 entitled, AN ORDINANCE TO AMEND THE ORDINANCE FIXING THE SALARY AND OTHER BENEFITS OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWN OF Hackettstown, NEW JERSEY FOR THE YEAR 2017 be adopted on second and final reading and that Notice of Final Adoption be published.

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

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

October 12, 2017 (continued)

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

WHEREAS, the salary ordinance provides for ranges of salary.

NOW THEREFORE BE IT RESOLVED that the following 2017 salaries are established for employees currently in the following positions, effective October 1, 2017;

Planning Board Secretary	\$7,500	annual
Zoning Board Secretary	\$7,500	annual

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

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

Resolution

WHEREAS, the Town of Hackettstown has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unite Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed to public use through the use of an online auction service; and

WHEREAS, the Town of Hackettstown intends to utilize the online auction services of USGovBid located at [www.usgovbid.com](http://www.usgovbid.com); and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services Local Finance Notice 2008-9.

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

1. The Town of Hackettstown is hereby authorized to sell surplus personal property as indicated on Schedule A on an online auction website entitled USGovBid.
2. The terms and condition of the agreement entered into between USGovBid and the Town of Hackettstown shall be made available at usgovbid.com and in the Town of Hackettstown Clerk's office.
3. A certified copy of the within Resolution be forwarded by the Town Clerk to the Division of Local Government Services.

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

Motion was made (Sheldon) and seconded (Tynan) to authorize the use of USGovBid for online auction services.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2017-18 in the amount of \$1,613,875.61.

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

Motion was made (Sheldon) and seconded (Engelau) to accept the Best Practices report for CY 2017/SFY 2018.

October 12, 2017 (continued)

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

Motion was made (Sheldon) and seconded (Engelau) to approve raffle license #1159 for Centenary University-Centenary Stage Company to hold an on premise 50/50.

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

Abstain – Kunz

Motion was made (Sheldon) and seconded (Engelau) to approve raffle license #1160 for the Hackettstown Community Hospital Foundation to hold an off premise raffle.

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

Motion was made (Sheldon) and seconded (Engelau) to approve raffle license #1161 for the New Jersey Civic Youth Ballet, Inc. to hold an off premise raffle, raffle license #1162 for the New Jersey Civic Youth Ballet, Inc. to hold an on premise 50/50 and raffle license #1163 for the New Jersey Civic Youth Ballet to hold a Tricky Tray.

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

Abstain – Kunz

Motion was made (Sheldon) and seconded (Engelau) to approve the taxi cab driver's application for Michael Kelly through May 1, 2018.

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

Mayor DiGiovanni appointed Tom Scott to the position of Second Alternate to the Zoning Board of Adjustment with a term expiring December 31, 2017.

Motion was made (Sheldon) and seconded (Kunz) to confirm Mayor DiGiovanni's appointment of Tom Scott to the position of Second Alternate to the Zoning Board of Adjustment with a term expiring December 31, 2017.

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

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

#### Resolution

WHEREAS, the General Code of the Town of Hackettstown, Chapter 11, Article 1 – Removal of Debris, Plant Growth, Etc. Required authorizes the Department of Public Works to remove debris, brush and obnoxious growth after providing the notice required by the ordinance; and

WHEREAS, the required notice was sent to the below properties by certified mail return receipt requested and regular mail; and

WHEREAS, ten days has elapsed since the notices were received; and

WHEREAS, the property owners failed to remove the debris, brush and obnoxious growth within ten days of their receipt of the notice; and

WHEREAS, the Department of Public Works has caused the debris, brush and obnoxious growth to be removed; and

WHEREAS, the Director/Superintendent of the Department of Public Works has certified to the Mayor and Common Council the cost of the removal of the debris, brush and obnoxious growth.

October 12, 2017 (continued)

THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Hackettstown as follows:

1. The certification of the costs of removal of the debris, brush and obnoxious growth has been examined and found to be correct.
2. The Tax Collector is hereby directed that the following cost shall be charged against the land and shall be added to and become part of the taxes next to be assessed and levied upon such land, to bear interest at the same rate as taxes, and shall be collected and enforced by the tax collector in the same manner as taxes:

<u>Property Address</u>	<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Cost</u>
237 Main Street	71	9	Grand Hack Square	\$190.00

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

Motion was made (Kunz) and seconded (Sheldon) to authorize the Town Attorney to draft an ordinance for a stop sign to be placed at the corner of Cedar and Christopher Streets.

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

No – DiMaio

Motion was made (Engelau) and seconded (Sheldon) to approve the special event license application for the Hackettstown Business Improvement District to hold a Hometown Holiday on December 1, 2017, to waive the \$50.00 application fee and to charge no Town costs.

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

Motion was made (Sheldon) and seconded (Tynan) to establish that trick or treat hours be held on October 31, 2017 from 4:00PM to 8:00PM.

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

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

Resolution:

BE IT RESOLVED BY THE Mayor AND COMMON COUNCIL OF THE TOWN OF Hackettstown AS FOLLOWS:

1. That the public be excluded from attendance at a portion of its meeting to be held on October 12, 2017 for the reason that the following subject matter will be discussed:

Payment in Lieu of Taxes (PILOT)  
Litigation

2. 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.
3. 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, Sheldon and Tynan

The meeting was closed at 7:20 PM and reopened at 8:02 PM. The Mayor stated that no formal action was taken by the Council during Executive Session.

Motion was made (Sheldon) and seconded (Kunz) to adjourn this meeting at 8:03 PM.

October 12, 2017 (continued)

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

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

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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.

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William Kuster, Jr., Town Clerk