June 11, 2020

The Mayor and Common Council convened in open session via teleconference in the Municipal Building at 215 Stiger Street, Hackettstown, New Jerseyat 7:00 PM on June 11, 2020. The special meeting opened with a salute to the Flag.

Mayor DiGiovanni announced that adequate notice of the time, place and manner of this remote public Council meeting, being conducted via teleconference, including the means by which the public may observe and participate, has been provided in accordance with the Open Public Meetings Act by:

1. posting said notice on the municipal building bulletin board and front window of the

Municipal Building;

(2) emailing said notice to the press and all others who have requested it;

(3) posting on the official Town website; and

(4) transmission to residents via nixel notification.

Roll Call Vote: Present – Mayor DiGiovanni, Councilpersons DiMaio, Engelau, Kunz, and

Tynan

Absent – Councilperson Sheldon

Motion as made (Kunz) and seconded (Engelau) to approve the minutes of the regular meeting held on May 28, 2020 as submitted.

Roll Call Vote: Yes – DiMaio, Engelau and Kunz

Abstain – Tynan

Motion was made (DiMaio) and seconded (Tynan) to appoint Janis Meichsner to the council vacancy position.

Roll Call Vote: Yes – DiMaio, Kunz and Tynan

No – Engelau

Mayor DiGiovanni administered the Oath of Allegiance and Oath of Office to Councilperson Meichsner.

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

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the section s of the annual audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations” as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S 52:27BB-52: A local officer or member of local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Common Council of the Town of Hackettstown, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

Abstain – Meichsner

Motion was made (DiMaio) and seconded (Tynan) that ordinance #2020-03 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING SCHEDULE XV OF CHAPTER 13 (ENTITLED “TRAFFIC AND PARKING”) OF THE TOWN ORDINANCES ESTABLISHING RESTRICTED HANDICAP PARKING ON MADISON STREET, 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 July 9, 2020; the Town Clerk to publish the ordinance together with Notice of Hearing in the Daily Record, to post the ordinance an 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, Kunz, Meichsner and Tynan

Motion was made (Engelau) and seconded (DiMaio) to approve check register #2020-10 in the amount of $1,829,898.89.

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

Motion was made (Kunz) and seconded (DiMaio) to approve raffle license #1234 for the Knights of Columbus to hold an off premise 50/50 raffle.

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

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

Resolution

Resolution in support of the Warren County Freeholders resolution as follows:

**RESOLUTION OF THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS TO REIMBURSE WARREN COUNTY LOCAL RESTAURANTS AND BARS THE SUM OF SEVENTY-FIVE DOLLARS ($75.00) AS A RESULT OF THE SPECIAL FEE/TAX IMPOSED BY THE NEW JERSEY STATE ALCOHOLIC BEVERAGE COMMISSION FOR THE ABILITY TO SERVE ALCOHOLIC BEVERAGES OUTSIDE THEIR LICENSED PREMISES**

**WHEREAS,** the Warren County Board of Chosen Freeholders of the County of Warren understand the financial destruction that the COVID19/Pandemic has imposed upon local businesses in the County of Warren; and

**WHEREAS,** the Warren County Board of Chosen Freeholders have created an Economic Development Advisory Committee to help foster and encourage opportunities for local businesses; and

**WHEREAS,** the Pandemic and concomitant closure of local restaurants and bars has had a chilling and devastating financial effect upon local business owners and their employees; and

**WHEREAS,** the New Jersey State Alcoholic Beverage Commission has imposed a seventy-five dollar ($75.00) licensing fee and/or additional tax for establishments who will soon be able to serve alcoholic beverages outside their licensed premises within the guidelines for social distancing and Executive Order 150 imposed by the Governor; and

**WHEREAS,** thisadditional fee and/or tax creates an additional burden and hardship to proprietors of establishments which have been closed for ninety (90) or more days; and

**WHEREAS,** the Warren County Board of Chosen Freeholders understand the concerns of local business owners and are concerned for their economic viability and have determined that available funds to cover this unnecessary excessive fee/tax are available in the account of the Economic Development Advisory Committee; and

**WHEREAS,** the Warren County Board of Chosen Freeholders will tender payment for this unnecessary fee/tax to the Municipal Clerks of each Warren County municipality for those businesses to serve the public via outdoor dining and consumption of alcohol and in conformance with all Executive Orders from the State.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren in the State of New Jersey as follows:

1. The Warren County Board of Chosen Freeholders will tender payment for all Warren County restaurants whom desire to open under the Governors Executive Order 150 to serve the public alcoholic beverages at outdoor settings the sum of seventy-five dollars ($75.00) per licensee to offset the fee/tax imposed by the New Jersey Alcoholic Beverage Commission as it has been determined that this fee/tax creates an unnecessary burden on businesses located in the County of Warren.
2. A copy of this duly certified resolution will be served upon Municipal Clerks for each Warren County Municipality who may also adopt a Resolution allowing participation in this program.
3. Annexed to this Resolution is a certificate from the County Treasurer indicating the availability of funds from Account No.011720 5100.

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

Motion was made (Meichsner) and seconded (Engelau) to approve the summer schedule and cancel the last meetings of July and August if they are not necessary.

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

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

Jessica (last name unknown) asked what steps the Town will implement to combat racism and discrimination.

Resident, 95 Musky Ridge Drive, asked questions relative to transparency in the Police Department.

An unknown person asked how to access a recorded copy of the meeting.

Motion was made (Engelau) and seconded (Kunz) to adjourn this meeting at 8:15 PM.

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

This is to certify that the This is to certify that all

ordinances and resolutions proper notices, postings and

contained herein have been filings required by the Open

approved by me in accordance Public Meetings Act (Chapter

with law. 231, P.L. 1975) were provided

for this meeting.

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Maria DiGiovanni, Mayor William Kuster, Jr., Town Clerk