

January 11, 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 January 11, 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, Lambo, Sheldon and Tynan

Absent – Councilperson Kunz

Mayor DiGiovanni administered the Oath of Office to Councilperson Tynan.

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

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

No one wished to speak at this time.

Mayor DiGiovanni appointed the following as Police Matrons and Crossing Guards: Joann Armstrong, Ann Bell, Kim Carvino, Carolyn Cavanagh, Patricia Crane, Judith Finn, Cynthia Thielitz-Jones, Shirley Kuipers, Dolores Reagle, Kim Smith, Judith Stone, Mariellen Tynan, Pauline Volkert.

Motion was made (Sheldon) and seconded (Lambo) to confirm Mayor DiGiovanni's appointment of the following as Police Matrons: Joann Armstrong, Ann Bell, Kim Carvino, Carolyn Cavanagh, Patricia Crane, Judith Finn, Cynthia Thielitz-Jones, Shirley Kuipers, Dolores Reagle, Kim Smith, Judith Stone, Mariellen Tynan, Pauline Volkert.

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

Mayor DiGiovanni appointed Edward Syfor to the position of Chief of the Fire Police, Charles Syfor to the position of Assistant Chief of the Fire Police and Kjell Hektoen and Mike Palko, Jr. as Members of the Fire Police.

Motion was made (Engelau) and seconded (Sheldon) to authorize Mayor DiGiovanni's appointment of Edward Syfor to the position of Chief of the Fire Police, Charles Syfor to the position of Assistant Chief of the Fire Police and Kjell Hektoen and Mike Palko, Jr. as Members of the Fire Police.

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

Mayor DiGiovanni appointed Councilperson Kunz to the position of Parking Authority Member with a term expiring December 31, 2022.

Motion was made (DiMaio) and seconded (Engelau) to confirm Mayor DiGiovanni's appointment of Councilperson Kunz to the position of Parking Authority Member with a term expiring December 31, 2022.

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

January 11, 2018 (continued)

Mayor DiGiovanni appointed James O'Connor to the position of Alternate Construction Official with a term expiring December 31, 2018.

Motion was made (Sheldon) and seconded (Engelau) to confirm Mayor DiGiovanni's appointment James O'Connor to the position of Alternate Construction Official with a term expiring December 31, 2018.

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

Mayor DiGiovanni appointed James O'Connor to the position of Alternate Building Subcode Official with a term expiring December 31, 2018.

Motion was made (DiMaio) and seconded (Sheldon) to confirm Mayor DiGiovanni's appointment of James O'Connor to the position of Alternate Building Subcode Official with a term expiring December 31, 2018.

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

Mayor DiGiovanni appointed J. Edward Palmer, Esquire to the position of Municipal Court Judge with a term expiring February 28, 2021.

Motion was made (Sheldon) and seconded (DiMaio) to confirm Mayor DiGiovanni's appointment of J. Edward Palmer to the position of Municipal Court Judge with a term expiring February 28, 2021.

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

Mayor DiGiovanni appointed Scott Armstrong to the position of Emergency Management Coordinator with a term expiring December 31, 2020.

Motion was made (Sheldon) and seconded (Engelau) to confirm Mayor DiGiovanni's appointment of Scott Armstrong to the position of Emergency Management Coordinator with a term expiring December 31, 2020.

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

Mayor DiGiovanni appointed Darren Tynan to the position of Deputy Emergency Management Coordinator with a term expiring December 31, 2018 and Gerald DiMaio, Jr. to the position of Deputy Emergency Management Coordinator with a term expiring December 31, 2018, Mary Matusiewicz to the position of Historic Preservation Commission Clerk with a term expiring December 31, 2018, Joseph Bristow to the position of Planning Board Class I Member (Mayor's Alternate) with a term expiring December 31, 2018, Al Camporini to the position of Planning Board Class IV Member with a term expiring December 31, 2021 and Robert Moore to the position of Planning Board Class IV Members with a term expiring December 31, 2021.

Motion was made (DiMaio) and seconded (Sheldon) to appoint Councilperson Lambo to the position of Planning Board Class III Member with a term expiring December 31, 2018.

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

Abstain – Lambo

Motion was made (Sheldon) and seconded (DiMaio) to appoint John Stout to the position of Zoning Board of Adjustment Member with a term expiring December 31, 2021 and Brian Weaver to the position of Zoning Board of Adjustment 2nd Alternate with a term expiring December 31, 2019.

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

January 11, 2018 (continued)

Motion was made (Sheldon) and seconded (Tynan) to appoint Gerald DiMaio, Jr. to the position of HMUA Board Member with a term expiring February 1, 2023.

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

Abstain – DiMaio

Motion was made (DiMaio) and seconded (Sheldon) to appoint Patricia Noll to the position of Tax Search Officer with a term expiring December 31, 2018.

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

Motion was made (Engelau) and seconded (DiMaio) to appoint William Kuster Jr. to the position of Assessment Search Officer with a term expiring December 31, 2018.

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

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

Resolution

BE IT RESOLVED that the Chief Financial Officer be designated as the certifying agent for the Public Retirement System, Police and Fire Retirement System, and the NJ Social Security Agency.

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

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

Resolution

BE IT RESOLVED that the Town Clerk/Administrator is hereby designated as certifying agent for the NJ Department of Personnel (Civil Service).

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

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

Resolution

BE IT RESOLVED that the Town Clerk/Administrator or his Deputy be designated as the official responsible for checking and verification of all delivery slips and vouchers for items payable by the Town of Hackettstown.

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

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

Resolution

BE IT RESOLVED that the Police Manual of the Town of Hackettstown, NJ, containing the rules and regulations governing the Hackettstown Police Department be readopted.

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

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

Resolution

January 11, 2018 (continued)

BE IT RESOLVED that except in cases of extreme emergency, and necessary expenditure of \$7,500.00 or more, whether current budget, operating expense, or capital budget must have prior approval of the Common Council before the encumbrance of funds.

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

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

Resolution

BE IT RESOLVED that prior to the placement of any purchase order in excess of \$500.00, the Town Clerk\Administrators approval must be received.

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

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

Resolution

WHEREAS, NJSA 54:4-66 provides that taxes are payable in quarterly installments on the first of February, May, August and November in each year with installments becoming delinquent if not paid on or before those dates; and

WHEREAS, NJSA 54:4-67 has been amended to permit the fixing of said rate of eight (8) percent per annum on the first \$1,500.00 of the delinquency, and eighteen (18) percent per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% to be collected against a delinquency in excess of \$10,000.00 on accounts that fail to pay the delinquency prior to the end of the fiscal year; and

NOW THEREFORE BE IT RESOLVED that in accordance with NJSA 54:4-67, the Tax Collector is hereby authorized and directed to charge eight (8) percent per annum on the first \$1,500.00 of tax or assessment delinquency after the due date and eighteen (18) percent per annum on any tax or assessment delinquency after the due date in excess of \$1,500.00. An additional penalty of six (6) percent shall be charged against the total delinquency if the arrears of \$10,000.00 remain at the end of the fiscal year; and

BE IT RESOLVED that no interest shall be charged if any installment is paid within ten (10) calendar days after the date upon which the same is due. However, if paid after the expiration of the ten (10) day grace period the interest charged shall be calculated from the original due date and not from the end of the grace period; and

BE IT FURTHER RESOLVED that no interest shall be charged senior citizens who pay their taxes with their social security check within thirty (30) days of the taxes due date; and

BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized to hold a tax sale in accordance with law.

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

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

Resolution

BE IT RESOLVED that William Kuster be appointed Public Agency Compliance Officer for the year 2018.

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

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

January 11, 2018 (continued)

Resolution

BE IT RESOLVED, that William Kuster be appointed Health Benefits Administrator for the year 2018.

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

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

Resolution

BE IT RESOLVED that the Cash Management Plan for the Town of Hackettstown be readopted for 2018.

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

Motion was made (Sheldon) and seconded (Engelau) that Ordinance #2018-01 entitled, ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTBLISH A CAP BANK (NJSA 40A:4-45.14), be introduced and passed on first reading and that a public hearing be held thereon and it be considered for final passage a 7:00 PM on January 25, 2018; the Town Clerk to publish the ordinance together with 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, Lambo, Sheldon and Tynan

Motion was made (Sheldon) and seconded (DiMaio) that Ordinance #2018-02 entitled, AN ORDINANCE TO APPROVE AND ADOPT THE 2018 BUDGET FOR THE HACKETTSTOWN BUSINESS IMPROVEMENT DISTRICT, INC., 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 January 25, 2018; 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 – DiMaio, Engelau, Lambo, Sheldon and Tynan

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

Resolution

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

- The following schedule for the regular meetings of the Mayor and Council for 2018 is hereby adopted:

January 1...1:00 pm	May 10...7:00 pm	September 27...7:00 pm
January 11...7:00 pm	May 24...7:00 pm	October 11...7:00 pm
January 25...7:00 pm	June 14...7:00 pm	October 25...7:00 pm
February 08...7:00 pm	June 28...7:00 pm	November 08...7:00 pm
February 22...7:00 pm	July 12...7:00 pm	November 26...7:00 pm
March 08...7:00 pm	July 26...7:00 pm	December 13...7:00 pm
March 22...7:00 pm	August 09...7:00 pm	December 27...7:00 pm
April 12...7:00 pm	August 23...7:00 pm	
April 26...7:00 pm	September 13...7:00 pm	

- All regular meetings will be held in the Municipal Building, 2015 Stiger Street, Hackettstown, NJ on the date and time indicated.

January 11, 2018 (continued)

- A copy of the Resolution will be prominently posted by the Town Clerk throughout 2018 on the bulletin board in the lobby of the Municipal Building.
- The Town Clerk, upon adoption of this Resolution, will mail copies to the Daily Record, Parsippany, NJ and the New Jersey Herald, Newton, NJ, which said newspapers are hereby designated to receive notices of the meetings of the Mayor and Common Council of the Town pursuant to Section 3(d) of the Open Public Meetings Act (Chapter 231, PL 1975); and will cause to be published in said newspaper a notice of the time, place and date of all regular meetings.
- The Town Clerk will file a copy of this Resolution in the Town Clerk's Office, and this Resolution shall remain on file throughout 2018.
- A copy of this Resolution, or any revision thereto, or any advance written notice of any regular, special or rescheduled meeting during 2018 will be mailed by regular mail to any person making written application for the same pursuant to Section 14 of the Open Public Meetings Act (Chapter 231 PL 1975) upon payment by said person of FIFTEEN DOLLARS (\$15.00) to the Town Clerk. Notices of meetings requested by the new media in writing shall be mailed by regular mail to said news media without charge. All requests for notices made shall terminate on December 31st of each year, but shall be subject to renewal upon a new written request to the Mayor and Common Council.
- At the commencement of all regular meetings, the Mayor or the Acting Mayor will announce publicly and shall cause to enter into the minutes of the meeting an accurate statement substantially as follows:

“Adequate notice of this meeting has been provided in accordance with the Open Public Meetings Act by:

- Posting a schedule of all regular meetings of the Mayor and Common Council on the bulletin board in the lobby of the Municipal Building; and
- Mailing a copy of the schedule of regular meetings to the Daily Record and the NJ Herald, causing a notice of said schedule to be published in said newspapers; and
- Mailing or delivering a copy of the schedule of regular meetings for 2018 to those persons requesting the same pursuant to the Open Public Meetings Act; and
- Filing a copy of the schedule of all regular meetings for 2018 with the Town Clerk/Administrator.

- The Town Clerk shall keep reasonably comprehensive minutes of all meetings of the Mayor and Common Council, showing the time and place, the members present, the subjects considered, the action taken, the vote of each member and any other information required by law which shall be promptly available to the public to the extent that making such matters public shall not be inconsistent with Section 7 of the Open Public Meetings Act.
- The minutes of each meeting shall become public as soon as they are prepared by the Town Clerk promptly after each meeting. Before releasing the minutes prior to formal approval by the Mayor and Common Council, a statement is to be placed at the top of them stating: "These minutes have not been formally approved and are subject to change or modification by the Mayor and Common Council at its next meeting."

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

Motion was made (Sheldon) and seconded (DiMaio) to approve the performance bond release for Willow Grove Associates in the amount of \$120,975.60.

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

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

Resolution

RESOLUTION authorizing the Municipal Attorney of the Town of Hackettstown to file municipal appeals and enter into stipulations on behalf of the Town of Hackettstown.

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

Motion was made (DiMaio) and seconded (Engelau) to approve the extension of medical leave for Linda Baylor through March 31, 2018.

January 11, 2018 (continued)

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

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

Resolution

WHEREAS, the Law Enforcement Support Office (LESO) facilitates a law enforcement support program, which originated from the National Defense Authorization Act of Fiscal Year 1997; and

WHEREAS, Federal law permits the Secretary of the United States Department of Defense (“Secretary”) to transfer to federal and State agencies personal property of the Department of Defense that the Secretary determines is suitable for use by agencies in law enforcement activities; and

WHEREAS, informally known as the “1033 Program”, this initiative allows local law enforcement agencies to obtain, at little or no cost, surplus federal property, including aircraft, armored vehicles, automatic weapons, and night vision equipment originally intended for use by the United States Armed Forces; and

WHEREAS, although equipment is provided through the 1033 Program at no cost to county and municipal law enforcement agencies, these entities are responsible for costs associated with the maintenance, fueling and upkeep of this equipment, and for specialized training for its operation; and

WHEREAS, it is in the best interest of the residents of the Town of Hackettstown that the Hackettstown Police Department apply and participate in the LESO 1033 Program.

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

- The Hackettstown Police Department is hereby authorized and approved to apply, enroll, and participate in the Law Enforcement Support Office 1033 Program.
- This resolution shall take effect immediately.

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

Motion was made (Sheldon) and seconded (DiMaio) to adjourn this meeting at 7:29 PM.

Roll Call Vote: Yes – DiMaio, Engelau, 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