January 14, 2021

The Mayor and Common Council convened in open session via teleconference in the Municipal Building at 215 Stiger Street, Hackettstown, New Jersey at 7:00 PM on January 14, 2021. The special meeting opened with a salute to the Flag.

Mayor DiMaio 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 DiMaio, Councilpersons Becker, Engelau, Kunz, Lambo,

 Sheldon and Tynan

Mayor DiMaio appointed the following to Council Committees:

Fire: Kunz, Sheldon, Engelau

Sanitation: Tynan, Sheldon, Becker

Police: Tynan, Kunz, Becker

Welfare: Kunz, Engelau, Becker

Lighting: Lambo, Kunz, Tynan

Recreation: Engelau, Lambo, Sheldon

Printing, License & Franchise: Lambo, Engelau, Becker

Public Works: Sheldon, Tynan, Becker

Ordinance & Municipal Affairs: Sheldon, Tynan, Lambo

Finance: Engelau, Lambo, Kunz

Ad Hoc Committees:

Insurance: Tynan, Sheldon

Personnel & employee Negotiation Sheldon, Kunz

Rescue Squad Coordinating: Sheldon, Kunz

Community Development: Kunz, Sheldon, Engelau

Board of Ed Liaison: Lambo, Engelau, Kunz

University Liaison: Engelau, Tynan

Parking Authority Liaison: Engelau

BID Liaison: Engelau, Kunz

Mayor DiMaio appointed the following to the positions of Police Matrons and Crossing Guards: Joann Armstrong, Ann Bell, Kim Carvino, Carolyn Cavanagh, Patricia Crane, Cynthia Thielitz-Jones, Derek Owens, Delores Reagle, Kim Smith, Judith Stone, Pauline Volkert and Christina Culp.

Motion was made (Sheldon) and seconded (Lambo) to confirm Mayor DiMaio’s appointment of the following to the positions of Police Matrons and Crossing Guards: Joann Armstrong, Ann Bell, Kim Carvino, Carolyn Cavanagh, Patricia Crane, Cynthia Thielitz-Jones, Derek Owens, Delores Reagle, Kim Smith, Judith Stone, Pauline Volkert and Christina Culp.

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

Mayor DiMaio appointed Edward Syfor to the position of Fire Police Chief, Charles Syfor to the position of Assistant Chief of the Fire Police and Mike Palko, Jr. to the position of Fire Police Member.

Motion was made (Sheldon) and seconded (Engelau) to confirm Mayor DiMaio’s appointment of Edward Syfor to the position of Fire Police Chief, Charles Syfor to the position of Assistant Chief of the Fire Police and Mike Palko, Jr. to the position of Fire Police Member.

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

Mayor DiMaio appointed Jessica Westgate to the position of Parking Authority Member with a term expiring December 31, 2024.

Motion was made (Sheldon) and seconded (Lambo) to confirm Mayor DiMaio’s appointment of Jessica Westgate to the position of Parking Authority Member with a term expiring December 31, 2024.

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

Mayor DiMaio appointed Bill O’Connor to the position of Alternate Construction Official with a term expiring December 31, 2021 and Bill O’Conner to the position of Alternate Building Subcode Official with a term expiring December 31, 2021.

Motion was made (Sheldon) and seconded (Kunz) to confirm Mayor DiMaio’s appointment of Bill O’Connor to the position of Alternate Construction Official with a term expiring December 31, 2021 and Bill O’Conner to the position of Alternate Building Subcode Official with a term expiring December 31, 2021.

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

Mayor DiMaio stepped down from the dais at this time and Acting Mayor Engelau ran the meeting.

Acting Mayor Engelau appointed Scott Armstrong to the position of Emergency Management with a term expiring December 31, 2023, Darren Tynan to the position of Deputy Emergency Management Coordinator with a term expiring December 31, 2021 and Gerald DiMaio, Jr. to the position of Deputy Emergency Management Coordinator with a term expiring December 31, 2021.

Mayor DiMaio returned to the dais.

Mayor DiMaio appointed Mary Matusewicz to the position of Historic Preservation Commission Clerk with a term expiring December 31, 2021, Steven Wolfrum to the position of Municipal Land Use Board, Class II Member with a term expiring December 31, 2021, Jody Becker to the position of Municipal Land Use Board, Class I Member with a term expiring December 31, 2021, Robert Stead to the position of Municipal Land Use Board, Class IV Member with a term expiring December December 31, 2024, Corey Tierney to the position of Municipal Land Use Board, Class IV Member with a term expiring December 31, 2024, Eric Anthony to the position of Municipal Land Use Board, Alternate #2 with a term expiring December 31, 2022, Thomas Graf to the position of Municipal Land Use Board, Alternate #3 with a term expiring December 31, 2021 and Steven Wolfrum to the position of Environmental Commission Member with a term expiring December 31, 2021.

Motion was made (Sheldon) and seconded (Becker) to appoint Councilperson Lambo to the position of Municipal Land Use Board, Class III Member with a term expiring December 31, 2021.

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

 Abstain – Lambo

Motion was made (Becker) and seconded (Kunz) to appoint William Kuster to the position of HMUA Board Member with a term expiring February 1, 2026.

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

Motion was made (Lambo) and seconded (Tynan) to appoint Ciro Lala to the position of HMUA Board Member with a term expiring February 1, 2022.

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

Motion was made (Becker) and seconded (Kunz) to appoint Patricia Noll to the position of Tax Search Officer with a term expiring December 31, 2021 and William Kuster, Jr. to the position of Assessment Search Officer with a term expiring December 31, 2021.

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

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

Resolution

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

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

Motion was made (Lambo) and seconded (Engelau) 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 – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Lambo) and seconded (Engelau) 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 – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Engelau) and seconded (Becker) 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 Manual of the Town of Hackettstown, NJ containing the rules and regulations governing the Hackettstown Police Department be readopted.

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

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

Resolution

BE IT RESOLVED that except in cases of extreme emergency, any 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 – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Lambo) and seconded (Engelau) 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 – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Lambo) and seconded (Kunz) 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 o 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 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) 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 hat the Tax Collector is hereby authorized to hold a tax sale in accordance with law.

Roll Call Vote: Yes – Becker, Engelau, Kunz, 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 2021.

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

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

Resolution

BE IT RESOLVED that William Kuster be appointed Health Benefits Administrator for the year 2021.

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

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

Resolution

BE IT RESOLVED that eh Cash Management Plan for the Town of Hackettstown be readopted for 2021.

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

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

Resolution

RESOLUTION authorizing the Municipal Assessor to file municipal appeals and enter into stipulations on behalf of the Town of Hackettstown for 2021.

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

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

Resolution

RESOLUTION demanding the NJ State Legislature accept its responsibility to administer the provision of the Affordable Housing Act and stay further action until it has promulgated rules governing its implementation.

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

The Mayor and Council had discussion with representatives of Bergen Tool regarding the Phase II PILOT.

The following people commented on the Bergen Tool PIOLOT: Debbie Sayor, Exit Realty, Hackettstown; Shawn Burke, Moore Street, Hackettstown; Don Sherman, Main Street Business Owner; Frank Czigler, Czigmeister Brewing, Hackettstown; a representative of Jade Associates; Darrin Matusewicz, Stiger Street, Hackettstown; Michele Morpath, Hackettstown Resident.

Motion was made (Lambo) and seconded (Tynan) to deny Jade Hackettstown Associates, LLC’s request to enter into a PILOT agreement with the Town for the proposed Victoria Mews development at the former Bergen Tool site.

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

 No – Engelau and Sheldon

Motion was made (Sheldon) and seconded (Tynan) that ordinance #2021-01 entitled, ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH 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 at 7:00 PM on February 11, 2021; 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 – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Resolution

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

1. The following schedule for the regular meetings of the Mayor and Council from 1-1-21 through 6-30-21 is hereby adopted. Teleconference through Zoom (www.zoom.com):

January 1… 1:00 pm 1-929-205-6099, ID 843 6435 4837 Passcode 879144

January 14…7:00pm 1-929-205-6099, ID 831 4597 1301 Passcode 032038

January 28…7:00pm 1-929-205-6099, ID 885 1092 4630 Passcode 833586

February 11…7:00pm 1-929-205-6099, ID 891 0406 0759 Passcode 823515

February 25…7:00pm 1-929-205-6099, ID 876 9583 5154 Passcode 918741

March 11…7:00pm 1-929-205-6099 , ID 889 0958 5979 Passcode 756397

March 25…7:00pm 1-929-205-6099, ID 858 3023 2739 Passcode 112339

April 8…7:00pm 1-929-205-6099, ID 831 6870 4798 Passcode 292454

April 22…7:00pm 1-929-205-6099, ID 836 2202 9715 Passcode 603683

May 13…7:00 pm 1-929-205-6099, ID 850 7982 4788 Passcode 403118

May 27…7:00pm 1-929-205-6099, ID 828 6264 2777 Passcode 594637

June 10…7:00pm 1-929-205-6099, ID 841 1121 7109 Passcode 477729

June 24…7:00pm 1-929-205-6099, ID 882 0802 3557 Passcode 000449

1. All regular meetings will be held through Zoom (www.zoom.com) on the date and time indicated.
2. A copy of the Resolution will be prominently posted by the Town Clerk throughout

2021 on the bulletin board in the lobby of the Municipal Building, the front window of the Municipal Building and on the Town website, www.hackettstown.net.

1. The Town Clerk, upon adoption of this Resolution, will mail copies to the Daily

Record, Parsippany, N.J., and the New Jersey Herald, Newton, N.J., which are designated as the official newspapers for publication of legal notifications; 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, P.L. 1975); and will cause to be published in said newspaper a notice of the time, place and date of all regular meetings.

1. The Town Clerk will file a copy of this Resolution in the Town Clerk’s Office, and

this Resolution shall remain on file throughout 2021.

1. A copy of this Resolution, or any revision thereto, or any advance written notice of

any regular, special or rescheduled meeting during 2020 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 P.L. 1975) upon payment by said person of FIFTEEN DOLLARS ($15.00) to the Town Clerk. Notices of meetings requested by the news 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.

1. 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:

1. 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

1. 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

1. mailing or delivering a copy of the schedule of regular meetings for 2021 to

those persons requesting the same pursuant to the Open Public Meetings Act; and

1. filing a copy of the schedule of all regular meetings for 2021 with the Town

Clerk/Administrator.

1. 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.

1. 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 – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Lambo) and seconded (Engelau) to approve raffle license #1238 for the Newton Medical Center Foundation to hold an off premise raffle.

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

 Abstain – Kunz

Motion was made (Sheldon) and seconded (Engelau) to approve the special event license for the Hackettstown Business Improvement District to hold Winterfest 2021, to waive the $50.00 application fee and to charge no Town costs.

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

Motion was made (Lambo) and seconded (Kunz) to allow Chief Macaulay to proceed with the part time hiring of a Police Secretary at 24 hours per week at a rate of $17.00 per hour.

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

Motion was made (Sheldon) and seconded (Engelau) to approve raffle license #1239 for the American Legion Post 164 to hold a pull tab raffle.

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

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

Ed Rhimes, East Hanover, NJ spoke regarding medical marijuana.

Jeffrey King, Eatontown, NJ spoke regarding medical marijuana.

Jamie VanSchiver, Plainsboro, NJ spoke regarding medical marijuana.

Motion was made (Sheldon) and seconded (Lambo) to adjourn this meeting at 8:55 PM.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon 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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Gerald DiMaio, Jr., Mayor William Kuster, Jr., Town Clerk