April 22, 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 April 22, 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. Posing 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 and Sheldon

 Absent: Councilperson Tynan

Mayor DiMaio presented a proclamation in recognition of Older Americans Month.

Motion was made (Sheldon) and seconded (Becker) to approve the minutes of the regular meeting held on April 8, 2021 as submitted.

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

Mayor DiMaio opened the public hearing on the 2021 Municipal Budget.

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

Motion was made (Sheldon) and seconded (Lambo) to adopt the 2021 municipal budget.

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

Mayor DiMaio opened the Public Hearing on ordinance #2021-02 entitled, AN ORDINANCE APPROPRIATING THE TOTAL SUM OF $533,372 FOR THE FUNDING OF VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES BY THE TOWN OF HACKETTSTOWN, IN THE COUNTY OF WARREN, NEW JERSEY, which was introduced and passed on first reading on March 25, 2021 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 DiMaio closed the public hearing and discussion returned to Council.

Motion was made (Sheldon) and seconded (Lambo) that ordinance 2021-02 entitled, AN ORDINANCE APPROPRIATING THE TOTAL SUM OF $533,372 FOR THE FUNDING OF VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES BY THE TOWN OF HACKETTSTOWN, IN THE COUNTY OF WARREN, NEW JERSEY, be adopted on second and final reading and that Notice of Final Adoption be published.

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

Mayor DiMaio opened the Public Hearing on ordinance #2021-03 entitled, AN ORDINANCE AMENDING SCHEDULE A OF THE TOWN OF HACKETTSTOWN ORDINANCE 2004-26 TO ADD PROPERTIES TO THE SPECIAL IMPROVEMENT DISTRICT, which was introduced and passed on first reading on March 25, 2021 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 DiMaio closed the public hearing and discussion returned to Council.

Motion was made (Sheldon) and seconded (Lambo) that ordinance 2021-03 entitled, AN ORDINANCE AMENDING SCHEDULE A OF THE TOWN OF HACKETTSTOWN ORDINANCE 2004-26 TO ADD PROPERTIES TO THE SPECIAL IMPROVEMENT DISTRICT, be adopted on second and final reading and that Notice of Final Adoption be published.

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

Motion was made (Sheldon) and seconded (Becker) to approve the application by Moudro Urban Renewal, LLC, dated April 14, 2021 for a Long Term Tax Exemption pursuant to NJSA 40A:20-1 et seq. for property located at B45, L1.01 &2 (104 Bilby Road).

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

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

Resolution

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorizations and receivables may be canceled;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Hackettstown, that the following unexpended and dedicated balances of General Capital Appropriations be canceled:

Ord Date Project Amount Canceled

Number Auth. Description Funded Unfunded

2017-10 4/27/2017 Tannery Filed Improvements $1,864.65

 Due from Private Funding $1,000.00

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

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

Resolution

WHEREAS, in accordance with the regulations of COAH pursuant to NJAC 5:93-1, et seq., and the New Jersey Uniform Housing Affordability Controls pursuant to NJAC 5:80-26-1, et seq., the Town of Hackettstown is required to adopt by resolution an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created by the rehabilitation of rental housing units within the Town of Hackettstown, are affirmatively marketed to low and moderate income households, particularly those living and/or working within Housing Region 2, the COAH Housing Region encompassing the Town of Hackettstown.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Hackettstown, County of Warren, State of New Jersey, do hereby adopt the following Affirmative Marketing Plan:

Affirmative Marketing Plan

1. All affordable housing units in the Town of Hackettstown shall be marked in accordance with the provisions herein unless otherwise provided in COAH’s Rules at NJAC 5:93-1, et seq.
2. The Town of Hackettstown has a Prior Round and obligation and a Third Round obligation. This Affirmative Marketing Plan shall apply to all developments that contain or will contain low-and moderate-income units, including those that are part of the Town’s current Housing Element and Fair Share Plan and those that may be constructed in future developments not yet anticipated by the Housing Element and Fair Share Plan. This Affirmative Marketing Plan shall also apply to any rehabilitated rental units that are vacated and re-rented during the applicable period of controls for rehabilitated rental units.
3. The Affirmative Marketing Plan shall be implemented by the Administrative Agent under contract to the Town of Hackettstown. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developer/seller/owner of the affordable unit(s).
4. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the Town of Hackettstown, shall undertake all of the following strategies:
5. Publication of one advertisement in a newspaper of general circulation within the housing region.
6. Broadcast of one advertisement by a radio or television station broadcasting throughout the housing region.
7. At least one additional regional marketing strategy using one of the other sources listed below.
8. The Affirmative Marketing Plan is regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Town of Hackettstown is located in COAH Housing Region 2, consisting of Essex, Morris, Union, and Warren Counties.
9. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:
10. All newspapers articles, announcements and requests for applications for low-and moderate-income units shall appear in the Warren Reporter and the Daily Record.
11. The primary marketing shall take the form of all least one press release and a paid display advertisement in the above newspapers once a week for four consecutive weeks. Additional advertising and publicity shall be on an “as needed” basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of publication to the Town’s Administrative Agent. All press releases and advertisements shall be approved in advance by the Town’s Administrative Agenda.

Advertisements will also be placed on the following websites:

1. Affordable Homes New Jersey – <http://www.affordablehomesnewjersey.com>
2. Hackettstown municipal website – <http://www.hackettstown.net>
3. New Jersey Housing Resource Center (NJHRC) – <http://www.njhrc.gov>
4. The advertisement shall include a description of the:
5. Location of the units
6. Direction to the units
7. Range of prices for the units
8. Size, as measured in bedrooms, of units
9. Maximum income permitted to qualify for the units
10. Location of applications
11. Business hours when interested households may obtain an application
12. Application fees
13. Newspaper articles, announcements and information on where to request applications for low-and moderate-income housing shall appear at least once a week for four consecutive weeks in at least three locally oriented weekly newspapers withing the region, on e of which shall be circulated primarily in Warren County and the other two of which shall be circulated primarily outside of Warren County but withing the housing region.
14. Four or mor regional cable television stations or regional radio stations shall be used during the first month of advertising.
15. Applications, brochures, signs, and/or posters used as part of the affirmative marketing program shall be available/posted in the following locations:
16. Hackettstown Town Municipal Building
17. Hackettstown Public Library
18. Hackettstown Town Web Site
19. Developer’s Sales/Rental Office
20. Warren County Administration Building
21. Warren County Library (and branches)

Applications shall be mailed by the Administrative Agent to prospective applicants upon request. Also, applications shall be available at the developer’s sales/rental office and shall be mailed to prospective applicants upon request.

1. The Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations in Essex, Morris, Union and Warren Counties that will aid in the affirmative marketing program with particular emphasis on contact that will reach out to groups that are least likely to apply for housing within the region, including major reginal employers.
2. Quarterly informational circulars and applications shall be sent to the administrators of each of the following agencies in the counties of Essex, Morris, Union and Warren:
	1. Welfare or Social Service Board (via the Director)
	2. Rental Assistance Office (local Office of DCA)
	3. County Office on Aging.
3. Quarterly informational circulars and applications shall be sent to the chief personnel administrators of all of the major employers within the region, as follows:

Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers available affordable housing)

Essex County

Continental Airlines, 1 Newark Airport, Newark NJ

Horizon Blue Cross & Blue Shield of NJ, 3 Raymond Plz W. Newark, NJ 07102

Newark Liberty International Airport, Newark Airport, Newark, NJ

Prudential Financial, Inc., 751 Broad St., Newark NJ 07102

Prudential Insurance, 751 Broad St., Newark NJ 07102-3777

Public Service Enterprise Group, 80 Park Plz, Newark NJ 07102

University of Medicine/Dentistry, Office of Marketing & Medial Relations

 150 Bergen St., Room D347 Newark NJ 07103

Verizon Communications, 540 Broad St., Newark NJ 07102

Morris County

AT&T, 295 N Maple Ave., Basking Ridge, NJ and 180 Park Ave, Florham Park NJ

Atlantic Health System-Morristown Memorial Hospital-100 Madison Ave. Morristown, NJ Honeywell, 101 Columbia Rd., Morristown, NJ 07960

Kraft Foods, 200 Deforest Ave., East Hanover, NJ and 7 Campus Dr., Parsippany, NJ

Lucent Technologies, 67 Whippany Rd., Whippany NJ and 475 South St., Morristown NJ and 5 Wood Hollow Rd., Parsippany NJ and 24 Mountain Ave, Medham NJ

Mennen Sports Arena, 161 E. Hanover Ave., Morristown, NJ

Novartis Pharmaceutical, 59 State Route 10, East Hanover, NJ

Pfizer, Morris Plains/Parsippany

Pfizer, 5 Woodhollow Rd., Parsippany and 175 Tabor Rd., Morris Plains

St. Clare’s Hospital, 130 Powerville Rd, Boonton Twp, NJ 07005 and 25 Pocono Road, Denville, NJ 07834 and 400 West Blackwell St., Dover, NJ 07801 and 3219 Route 46 East, Suite 110, Parsippany NJ 07054

US Army Armament R&D, 21 Picatinny Arsenal, Picatinny Arsnl, NJ

Union County

A&M Industrial Supply Co., 1414 Campbell St., Rahway

A.J. Seabra Inc., 574 Ferry St., Newark

Bristol-myers Products Research & Dev, 1350 Liverty Ave, Hillside

Cede Candy Inc., 1091 Lousons Road, PO Box 271, Union, NJ

Comcast Network, 800 Rahway Ave, Union NJ

HoneyWell Inc., 1515 West Blancke St., Bldgs 1501 and 1525, Linden, NJ

Howard Press, 450 West First Avenue, Roselle, NJ

IBM Corporation, 27 Commerce Drive, Cranford, NJ

Lucent Technologies, 600 Mountain Ave., Murray Hill, NJ

Merck & Co. Inc., 1 Merck Dr., PO Box 2000 (RY60-200E) Rahway, NJ

Rahway Hospital, 865 Stone Street, Rahway NJ

Rotuba Extruders, Inc., 1401 Park Ave, South Linden

Union County College, 1033 Springfield Ave., Cranford, NJ

Warren County

Hackettstown Hospital,651 Willow Grove St., Hackettstown NJ

Lopatcong Care Center, 390 Rd School Lane, Phillipsburg NJ

Mallinckrodt/Baker, Inc., 222 Red School Lane, Phillipsburg NJ

Masterfoods USA, 800 High Street, Hackettstown NJ

Pechiney, 191 Route 31 North, Washington NJ

Roche Vitamins, 206 Roche Drive, Belvidere, NJ
ShopRite of Greenwich, 1207 US-22, Phillipsburg NJ

Stop & Shop, 1278 US-22, Phillipsburg NJ

Warren Hospital, 185 Roseberry St., Phillipsburg NJ

1. Specific notification of the availability of affordable housing units in Hackettstown shall be provided to the following entities.
	1. Fair Share Housing Center (510 Park Boulevard, Cherry Hill, NJ 08002)
	2. New Jersey State Conference of the NAACP, Latino Action Network (PO Box 943, Freehold, NJ 07728)
	3. East Orange, NAACP (PO Box 1127, East Orange, NJ 07019)
	4. Newark NAACP (PO Box 1262, Newark, NJ 07101)
	5. Morris County NAACP (PO Box 2256, Morristown, NJ 07962)
	6. Elizabeth NAACP (PO Box 6732, Elizabeth, NJ 07206)
2. The following is a listing of community contact person(s) and/or organizations in Essex, Morris, Union and Warren Counties that will aid in the affirmative marketing program and provide guidance and counseling services to prospective occupants of the very low-, low and moderate-income units:
3. Central Jersey Housing Resource Center, 600 First Avenue, Suite 3, Raritan, NJ 08869
4. Northwest New Jersey Community Action Program, Inc. (NORWESCAP), 350 Marshall Street, Phillipsburg, NJ 08865
5. A random selection method to select occupants of low- and moderate-income housing will be used by the Administrative Agent, in conformance with NJAC 5:80-26.16(1). The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in COAH Housing Region 2 comprised of Essex, Morris, Union and Warren Counties.
6. The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify low and moderate income households; to place income eligible households in low and moderate income units upon initial occupancy; to provide for the initial occupancy of low and moderate income units with income qualified household; to continue to qualify households for re-occupancy of the units as they become vacant during the period of affordability controls; to assist with outreach to low and moderate income households; and to enforced the terms of the deed restriction and mortgage loan as per NJAC 5:80-26-1, et seq.
7. The administrative Agent shall provide or direct qualified low- and moderate-income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.
8. All developers/owners of low- and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent.
9. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low-, low- and moderate-income housing units are initially occupied and for as long as the affordable units remain deed restricted such that qualifying new tenants and/or purchasers continues to be necessary.
10. The Administrative Agent shall provide the Affordable Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to NJAC 5:80-26-1, et seq.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #20121-07 in the amount of $45,012.16.

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

Motion was made (Sheldon) and seconded (Becker) that ordinance #2021-04 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN, COUNTY OF WARREN AND STATE OF NEW JERSEY, AMENDING THE LAND DEVELOPMENT ORDINANCE AND PERMITTING THE OPERATION OF CANNABIS CULTIVATION OR MANUFACTURING BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES, 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 May 27, 2021; the Town Clerk to publish the ordinance together with Notice of Haring 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 and Sheldon

Motion was made (Engelau) and seconded (Becker) that ordinance #2021-05 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING SCHEDULE I OF CHAPTER 13 (ENTITLED “TRAFFIC AND PARKING OF THE TOWN ORDINANCES PROHIBITING PARKING ON MITCHELL ROAD BETWEEN VICTORIA LANE AND JAMES COURT, 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 May 27, 2021; the Town Clerk to publish the ordinance together with Notice of Haring 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 and Sheldon

Motion was made (Sheldon) and seconded (Lambo) that ordinance #2021-06 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING SECTION 48 (OCCUPANCY) OF ARTICLE 6 (RENTAL PROPERTY REGULATIONS AND LICENSING OF LANDLORDS) OF CHAPTER 7 (BUILDING REGULATIONS) TO PROVIDE FOR THE NUMBER OF OCCUPANTS PERMITTED IN A RESIDENTIAL RENTAL UNIT, 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 May 27, 2021; the Town Clerk to publish the ordinance together with Notice of Haring 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 and Sheldon

Motion was made (Sheldon) and seconded (Becker)to approve the taxicab drivers license for Henry Sandi, Ana Ramirez, Allan Quesada, Sergio Rojas, Abigail Allardice, Jose Valverde, Anahyde Mejicanos and Marcia Abad-Rojas through May 1, 2022.

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

Motion was made (Sheldon) and seconded (Lambo) to the approve raffle license application for the Knights of Columbus, Joyce Kilmer Council #2483 to hold a calendar raffle.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the special event license application for Czig Meister Brewing to hold a Live Acoustic Music Thursdays from May 27, 2021 through October 28, 2021, to charge the $50.00 application fee and to charge no Town costs.

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

Motion was made (Sheldon) and seconded (Lambo) to approve the special event license application for the Hackettstown Elks Lodge 2331 to hold a public picnic on May 23, 2021, to waive the $50.00 application fee and to charge no Town costs.

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

Motion was made (Sheldon) and seconded (Engelau) to adjourn this meeting at 7:27 PM.

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

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