

**NOTICE OF TELECONFERENCE MEETING OF THE MAYOR AND
COMMON COUNCIL OF THE TOWN OF HACKETTSTOWN.**

Please be advised that a teleconference meeting of the Mayor and Common Council of the Town of Hackettstown will be held on April 8, 2021 at 7:00pm

While this is a teleconference meeting of the Governing Body, the public will be able to hear and participate and provide public comments during said regular meeting.

To listen, and participate in said meeting the public will be able to access the meeting as follows:

Join Zoom Meeting Online from your computer:

-www.zoom.com, enter meeting ID 831 6870 4798, Passcode 292454

-From Your Phone, dial 1-929-205-6099. When prompted enter meeting ID 831 6870 4798, when prompted enter Passcode 292454

You will now be connected to the meeting and will be able to hear said meeting discussion.

When public comment or questions are appropriate during said meeting, the public communication will be opened.

The Council Agenda to the extent known and accompanying documents shall be posted on the Hackettstown website, www.Hackettstown.net.

Said meeting telecommunication will be initiated from the Hackettstown Municipal Building, 215 West Stiger Street, Hackettstown, NJ.

**William Kuster
Town Clerk/Administrator**

TOWN OF HACKETTSTOWN

MUNICIPAL BUILDING

215 STIGER STREET • HACKETTSTOWN • NEW JERSEY 07840

TEL: 908-852-3130 • FAX: 908-852-5728

AGENDA

APRIL 8, 2021

TELECONFERENCE MEETING

Flag salute.

Mayors opening statement as required by the Open Public Meetings Act.

Roll call.

FOR CONSIDERATION:

- Motion to approve the minutes of the March 25, 2021 regular session.
- Public hearing and final adoption of the 2021 Municipal Budget.
- Resolution, Dedication by Rider.
- Motion to approve a contract with Colliers Engineering for E. Baldwin resurfacing project.
- Motion to approve check register 2021-06.
- Motion to extend the temporary outdoor dining permit approvals through 2021 and waive all associated fees.
- Motion to approve a Taxi Cab Drivers License.
- Motion to extend the expiration of Taxi Cab Owner licenses to June 1, 2021.
- Motion to approve a Special Event license.

Discussion by citizens.

Any other matters that may be brought by the Mayor and Council for action.

Committee reports.

Mayors report.

Possible executive session.

Adjournment.

March 25, 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 March 25, 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 and Tynan

Mayor DiMaio presented a proclamation in recognition of Viola Heneck.

Motion was made (Sheldon) and seconded (Becker) to approve the minutes of the regular meeting held on March 11, 2021 as submitted.

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

No – None

Absent – Tynan

Motion was made (Sheldon) and seconded (Engelau) to authorize a PILOT agreement for the Victoria Mews development.

Roll Call Vote: Yes – Becker, Engelau and Sheldon

No – Kunz, Lambo and Tynan

Due to the tie vote Mayor DiMaio casted his vote. Mayor DiMaio voted No.

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

Resolution

WHEREAS, the Department of Veterans Affairs has determined that Linda Ayres, owner of property at Block 39, Lot 2, 102-A Vail Street, is totally disabled; and

WHEREAS, due to this determination, Ms. Ayres is not required to pay property taxes from December 2, 2020 and is therefore exempt from future tax payments; and

WHEREAS, an overpayment will exist and must now be refunded to the assessed owner as a totally disabled veteran.

NOW THEREFORE BE IT RESOLVED by the Governing Body that the Tax Collector is authorized to cancel taxes from December 2, 2020 and is hereby authorized to cancel the total amount due from the tax record for 2021. The Governing Body also authorizes the Chief Financial Officer to make a refund of taxes as follows:

Block	Lot	Year	Assessed to	Amount
39	2	2020	Ayres, Linda 102-A Vail St Hackettstown, NJ 07840	\$742.50
39	2	2021	Corelogic Refunds 3001 Hackberry Rd Irving, TX 75063	\$2,258.36

Resolution

WHEREAS, the Tax Collector advises of overpayment of taxes for calendar year 2021 and recommends a refund of the overpaid amount.

NOW THEREFORE BE IT RESOLVED by the Governing Body to authorize the Chief Financial Officer to make the following refund of taxes:

Block 55, Lot 3 Corelogic/Refunds Dept 3001 Hackberry Rd Irving, TX 75063	\$2,830.18 Payment on exempt property
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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, there is an item on the Capital Balance Sheet entitled NJDOT Grant Receivable, east Prospect Street Improvements,

WHEREAS, this project has been completed, and it has been determined that all allowable payments have been received for this grant, and it is necessary to formally cancel the remaining receivable balance to close this grant.

NOW THEREFORE BE IT RESOLVED that the following Balance Sheet line items be cancelled;

NJDOT Receivable, East Prospect Street	\$30,778.58
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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, there are stale dated checks outstanding in the Town of Hackettstown Municipal General Account, and

WHEREAS, every avenue has been extinguished to trace these checks,

NOW THEREFORE BE IT RESOLVED by the Council of the Town of Hackettstown that the following stale dated checks be cancelled and credited to the Town of Hackettstown Surplus;

Check #	Issue Date	Amount
2889	9/17/20	\$18.00

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

Motion was made (Sheldon) and seconded (Lambo) that ordinance #2021-02 entitled, AN ORDINANCE APPROPRIATEING 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 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 April 22, 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

Motion was made (Engelau) and seconded (Lambo) to approve check register #2021-5 in the amount of \$485,230.23

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

Motion was made (Kunz) and seconded (Becker) to approve the Recreation Department purchase order for Colonial Little League in the amount of \$8,121.00 for Little League Baseball Registration for Hackettstown residents.

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

Abstain – Lambo

Motion was made (Kunz) and seconded (Lambo) the Fire Department application membership for Dylan J. Streightiff.

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

Motion was made (Lambo) and seconded (Kunz) to approve the special event license application for Warren County Craze Softball to hold a Flee Market/Garage Sale on April 24, 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 (Becker) to approve the special event license application for the Hackettstown Elk's Lodge 2331 to hold a Musconetcong River Cleanup on April 17, 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 (Kunz) and seconded (Tynan) to approve the especial event license application for EB Cops N Rodders, LLC to hold a Cops N Rodders Hackettstown Cruise Night and Car Show on Thursdays from April 29 through September 30, 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 (Sheldon) and seconded (Lambo) that ordinance #2021-03 entitled, AN ORDINANCE AMENDING SCHEDULE A FO THE TOWN OF HACKETTSTOWN ORDINANCE 2004-26 TO ADD PROPERTIES TO THE SPECIAL IMPROVEMETN DISTRICT, 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 April 22, 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 and Sheldon

No – None

Absent – Tynan

Motion was made (Sheldon) and seconded (Becker) to adjourn this meeting at 8:05 PM.

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

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

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.

Gerald DiMaio, Jr., Mayor

William Kuster, Jr., Town Clerk

Dedication by Rider Resolution

Town of Hackettstown, Warren County

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR BUSINESS IMPROVEMENT DISTRICT FUND

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, NJSA 40:56-65 provides for the establishment of an Special Improvement District within the Town of Hackettstown; and

WHEREAS, NJSA 40A:4-39 provides the dedicated revenues anticipated from the Special Improvement District are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Town of Hackettstown, County of Warren, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Town of Hackettstown Special Improvement District in accordance with NJSA 40:56-65.
2. The Clerk of the Town of Hackettstown, County of Warren is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

CERTIFICATION: It is hereby certified that this is a true and correct copy of a resolution adopted by the governing body of the Town of Hackettstown at a meeting held April 8, 2021.

William W Kuster Jr., Town Clerk

March 29, 2021

Mayor and Council
Town of Hackettstown
215 Stiger Street
Hackettstown, NJ 07840

Proposal for Professional Services
East Baldwin Street Improvement Project
Town of Hackettstown, Warren County, NJ
Colliers Engineering & Design Project No. HKT-113P

Dear Mayor and Council,

Colliers Engineering & Design ("CED") is pleased to submit the following proposal for professional engineering services to assist the Town in the design and construction phases of the East Baldwin Street Improvement Project. The proposal includes the scope of work, the required fees, a list of items that must be addressed by the Town, and a list of exclusions.

An application was filed by the Town in 2020 with the New Jersey Department of Transportation to obtain monies from the municipal aid portion of the Transportation Trust Fund to improve East Baldwin Street between Main Street and East Prospect Street.

On November 16, 2020, the Town was informed that the NJDOT had awarded a grant in the amount of \$121,700.00 for the project.

In order to move the project into construction, the Town will have to submit certain engineering documents to the NJDOT's Local Aid Office in Mt. Arlington, New Jersey in order to obtain approval to construct the project.

The following scope of services is proposed:

Scope of Work

1.0 Design Phase

Since the Town plans on either performing some of the required work through its Public Works Department or utilizing South State Inc. through its membership in the Morris County Cooperative Pricing Council ("MCCPC"), a very basic engineering plan set that includes a maintenance and protection of traffic plan, a typical roadway cross-section, and typical details and notes is acceptable to the NJDOT. Detailed engineering plans with grades and elevations, planimetrics, and other features are not needed on milling and paving projects involving MCCPC contractors.

The following tasks are proposed under this phase:

- 1.01 Prepare an engineering plan consisting of a maintenance and protection of traffic plan, typical roadway cross-sections, and typical construction details and notes.
- 1.02 Prepare technical specifications and bid documents.
- 1.03 Prepare construction cost estimates.
- 1.04 Prepare engineer's certification.
- 1.05 Submit the documents prepared in Tasks 1.01 - 1.04 above to the NJDOT.
- 1.06 Once the documents in Tasks 1.01 - 1.04 are approved by the NJDOT, prepare a resolution of award of contract for approval by the Town Council for South State Inc.
- 1.07 Submit adopted resolution of award to the NJDOT to obtain authorization for the Town to commence construction on the project.
- 1.08 Prepare and submit invoice to the NJDOT to obtain 75% of the grant proceeds from the NJDOT upon approval of the resolution submitted as part of Task 1.07.

2.0 Construction Phase

- 2.01 Schedule a preconstruction conference with South State Inc. and other involved parties.
- 2.02 Issue minutes of the preconstruction conference following the completion of the meeting.
- 2.03 Obtain and review Material Questionnaire ("MQ") from South State Inc. Upon approval, forward the approved MQ to the NJDOT.
- 2.04 Perform a post- construction site visit to ensure that the work was performed in accordance with the approved plans.
- 2.05 Prepare close-out and reimbursement package for the project following the completion of construction. Submit close-out and reimbursement package to the NJDOT upon completion.

Fee Proposal

All services on this contract shall be performed in accordance with the terms and provisions in the contract between the Town of Hackettstown and CED for municipal engineering services for the 2021 calendar year. The total lump sum fee for the services described above is as follows:

Phase 1.0	Design Phase	\$6,100.00
Phase 2.0	Plans, Specifications and Bid Documents	<u>\$3,400.00</u>
	Total	\$9,500.00

The above fee includes an allowance of \$200.00 for printing and reproduction and other reimbursable expenses.

Items to be Addressed by the Town

1. The Town shall provide CED with access to files and allow relevant documents to be utilized.
2. The Town shall permit representatives of CED to visit the work sites to collect information.
3. The Town will coordinate with South State Inc. and DPW in the scheduling and performance of the work on East Baldwin Street.
4. The Town will review and process South State Inc. invoices for payment.
5. The Town will provide CED with invoices and cancelled checks from contractors to allow for the preparation of the documents for close-out and final reimbursement.

Clarifications/Exceptions

The following services are excluded from the scope of work:

1. Field survey work.
2. The preparation of bid documents for a multi-phase project.
3. Printing and reproduction costs over and above that allowed for in this contract.
4. Any other exclusions previously referenced in the proposal.

Conclusion

If any Council member has any questions or clarifications regarding the scope of work, please do not hesitate to call me.



I appreciate the opportunity to submit this proposal and look forward to performing this work for you.

Sincerely,

Colliers Engineering & Design

A handwritten signature in black ink, appearing to read "P. Sterbenz".

Paul M. Sterbenz, PE, PP, CME, CPWM
Division Operational Officer

Client Contract Authorization

On behalf of the Town of Hackettstown, I hereby declare that I am duly authorized to sign binding contractual documents. I also declare that I have read, understand, and accept this contract.

Signature

Date

Printed Name

Title

**A MOTION OF THE GOVERNING BODY OF THE TOWN OF HACKETTSTOWN
APPROVING CHECK REGISTER #2021-6 DATED APRIL 8, 2021**

DEVELOPERS ESCROW	\$ 14,658.15
GENERAL TRUST FUND	\$ 1,663.40
POOL ACCOUNT	\$ 446.02
CURRENT ACCOUNT	\$ 2,604,205.52
TOTAL	\$ 2,620,973.09

Certified by the Finance Committee:

Matthew Engelau

Leonard Kunz

James Lambo

04/08/2021

BILL LIST

CHECK REGISTER

Developers Escrow	\$	14,658.15
Current Account	\$	1,596,949.19
Total Check Register	\$	1,611,607.34

MANUAL CHECKS

Current Account	3-30 Payroll	\$	182,852.91
Current Account	Fulton Bank	\$	70.00
Current Account	Transfer Capital	\$	11,666.42
Current Account	PERS Annual	\$	243,803.00
Current Account	PFRS Annual	\$	568,864.00
General Trust Fund	3-30 Payroll	\$	1,663.40
Pool Account	3-30 Payroll	\$	446.02

Total Hand Checks	\$	1,009,365.75
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TOTAL BILL LIST 4/8/2021	\$	2,620,973.09
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Bill Kuster <admin@hackettstown.net>

2021 outdoor dining

1 message

David Diehl <zoning@hackettstown.net>

Tue, Mar 16, 2021 at 2:01 PM

To: Jerry DiMaio <mayor@hackettstown.net>, Bill Kuster <admin@hackettstown.net>

Mayor & Town Administrator,

As the 2021 outdoor dining season approaches, this office is requesting some guidance and consideration as to procedure of application and fee(s).

As per the 2020 Outdoor Dining - Temporary Zoning Permit, the Mayor & Council waived all fees associated with the Outdoor Dining Application. In addition, the Temporary Outdoor Dining Application (TODA) request was extended to all Hackettstown Retail Food Establishments (RFSE) and not just within the TCC Zone District.

This office is requesting consideration to extend the 2020 Temp Outdoor Dining procedure for the 2021 season. Thus, the RFSE will make an updated TODA and site plan for review by the zoning department and all fees associated with the TODA will be waived.

Regards,

David J. Diehl
Zoning Official

cc: BID Director

Fee Paid: \$ _____
Date Application Received: _____
Name of Event: _____
Applicant: _____
Date of Event: _____
Date License Approved by Mayor and Common Council: _____
Date Reimbursement Agreement Signed: _____
Date Initial Reimbursement Fee Paid: _____

License Approved: _____

WILLIAM W. KUSTER, JR., CLERK/ADMINISTRATOR

(Above Line for Town Use Only)

(Submit Original and Eight Copies of Application)

TOWN OF HACKETTSTOWN
SPECIAL EVENTS LICENSE APPLICATION

I. Applicant's Information

- A. Applicant's Name: Smiles for Margaret _____
B. Contact Person's Name & Phone Number: Michele Morpeth -908-872-9263
C. Applicant's Address: 209 High St. Hackettstown, NJ 07840
D. Applicant's Phone Number: 908-246-1284 (C)
E. Name and Phone Number of Emergency Contact: Michele Morpeth 908-872-9263 (C)
F. Name Address & Phone Number of Property Owner if different from Applicant: _____

II. Event Information

- A. Name of Event: Huff and Puff After You Stuff Memorial 5K
B. Location of Event: River Park and the American Legion
C. Date and Hours of Event: Sat. Nov. 27, 2021 7am-2pm
D. Rain Date, if any: none
E. Zone Event Located: River Park on Seber Road and the American Legion

III. Event Description

- A. Activities Planned: 5K Race
B. Estimated Number of Persons Attending: 300-400

IV. Event Safety

SPECIAL EVENTS APPLICATION
MUNICIPAL COMMENTS/SIGN-OFF SHEET

Hackettstown, NJ 07840
215 Stiger Street

TOWN OF HACKETTSTOWN

Application Date: 3/16/2021
Signature: Michelle Depietri
NAME OF APPLICANT: Smiles for Margaret

Please provide any additional information that may assist the Town in evaluating the application. If additional space is required please attach additional sheets. -

- VII. **Additional Information**
start the race and announce the awards.
Entertainment will be providing warm up music and speakers so that we can describe any noise amplification systems or music to be present. SC3
- VI. **Description of any open flame cooking facilities or pressurized flammable or combustible gases to be used.** (Please note that such facilities require a permit from the Hackettstown Fire Department.)
none
- D. **Describe any noise amplification systems or music to be present.** SC3
- C. **Temporary lighting proposed:** NONE
- V. **Miscellaneous**
A. Provide a copy of applicants liability insurance.
B. List alcohol permits or food license required: NO ALCOHOL -
All Food Vendors to provide required permits and licenses.
- D. **Describe location of parking, number of cars anticipated and any traffic control needed:** Cars will use the Legion Parking lot, River Park
course
Parking lot and any overflow will park in the development.
- C. **Describe health, fire and rescue squad provisions.** Volunteer EMT will be at the
- B. **Describe sanitary provisions (i.e. bathroom facilities, garbage disposal):**
Registration held at American Legion building which includes
bathrooms. Garbage cans will be placed around the course and
cleaned up by volunteers from Smiles for Margaret.
- A. **Describe security to be provided:**