

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
MARCH 21, 2016**

Mayor Kennedy opened the regular meeting of the Belvidere Town Council with the Pledge of Allegiance and Teresa Yeisley read the following notice in compliance with the Open Public Meetings Act:

In accordance with Chapter 231 of the Public Laws of 1975, notice of this meeting was given by way of notice filed with the Star Gazette and/or the Express-Times, filed in the Municipal Clerk's Office and posted in the Belvidere Town Hall, 691 Water Street, Belvidere NJ.

Roll Call:

Present - Mayor Kennedy, Councilman Fitzgerald, Councilman Makatura, Councilwoman Miers, Councilman Miller, Councilwoman Napolitani, Councilman Tutka

Absent - None

Presentations:

Councilwoman Napolitani, Councilwoman Miers and Mayor Kennedy presented the following proclamations:

**Town of Belvidere Proclamation
Recognizing April as Parkinson's Awareness Month**

- Whereas,* more than seven million people worldwide are living with Parkinson's disease - a chronic, degenerative neurological disorder; and
- Whereas,* there are currently no known ways to prevent or accurately predict who will develop Parkinson's disease, but scientists believe that , of all the brain disorders, Parkinson's is the one closest to a cure; and
- Whereas,* in the United States, an estimated 60,000 new cases will be diagnosed this year alone; and
- Whereas,* there is no objective test for Parkinson's disease and the rate of mis-diagnosis can be high; and
- Whereas,* there is no cure, therapy, or drug to slow or halt the progression of Parkinson's disease; and
- Whereas,* increased education and research are needed to help find more effective treatments with fewer side effects and, ultimately, an effective treatment or cure for Parkinson's disease;

Now, Therefore, Be it Proclaimed that the Belvidere Town Council hereby proclaims April as Parkinson's Awareness Month in the Town of Belvidere and April 9, 2016 as Belvidere Fox Trot Day.

**Town of Belvidere Proclamation
Honoring the 2016 inductees of the
Belvidere Chapter of the
National Junior Honor Society**

- Whereas,* membership in the National Junior Honor Society is one of the highest honors that can be awarded to a student;
- Whereas,* more than 7,500 chapters in schools across the nation strive to give practical meaning to the society's standards of scholarship, leadership, service, citizenship and character;
- Whereas,* no student is inducted simply because they have a high academic average. The National Junior Honor Society strives to recognize the total student;
- Therefore,* be it proclaimed that the Belvidere Town Council hereby congratulates all the 2016 inductees into the Belvidere Chapter of the National Junior Honor Society

with hope that you remain a life-long learner and leader.

Susan Reeder advised Council on the change in the emergency notification system from Rapid Notify to Swift911. Residents can register through the Warren County Department of Public Safety website.

Public Comment:

There was no public comment at this time.

Committee Reports:

Councilman Makatura - 327 calls for service in February; signs for municipal parking areas will be installed and the PD will issue warnings for one week; Chief Scott selected a candidate for the Court Attendant position; will meet with Chief and Principal regarding a Drug Awareness Program; court window installed and passed inspection with the AOC.

A motion was made by Councilman Makatura and seconded by Councilwoman Miers authorizing Chief Scott to proceed with the three-year lease/purchase of a 2016 Ford Explorer at a cost of \$37,984.

Roll call:

Ayes - Councilman Fitzgerald, Councilman Makatura, Councilwoman Miers, Councilman Miller, Councilwoman Napolitani, Mayor Kennedy

Nays - None

Abstentions - Councilman Tutka

Absent - None

A motion was made by Councilman Makatura, seconded by Councilwoman Napolitani and carried to authorize the hiring of George Duckworth as Court Attendant at \$75 per court session.

Councilwoman Napolitani - DPW doing tree and brush trimming. Brush pick-up for the Town has been scheduled for the beginning of April. Councilman Fitzgerald asked who authorized that the yellow curbs in the up-town business area be painted grey, adding that this should have been a Council decision. Mayor Kennedy responded that he asked John Snyder to paint the curbs to afford more parking.

Councilman Miller - the Historical Commission has chosen three sites for their fund raiser (the Warren County Court House, the Episcopal Church and possibly the Shoe Tree); attended a meeting regarding the sale of the BASF property.

Councilwoman Miers - BOE passed their preliminary budget with a \$72,000 increase and public hearing on April 27th. Recreation Committee meeting to discuss potential activities.

Councilman Fitzgerald - no report at this time.

Councilman Tutka - Pool Commission reviewed their budget and discussed personnel. Met with Fire Chief to discuss alley access and fire truck. Met with Belvidere Ambulance Corps members and discussed outside service. Toured DPW facility with a contractor who recommended that the structure come down.

Teresa Yeisley - FEMA declaration for January winter storm Jonas. Town will receive reimbursement for salt and OT.

Previous Business:

Discussion of 2016 budget and update on progress.

Meeting scheduled for Councilwoman Napolitani, Paul Sterbenz, John Snyder and Teresa Yeisley to discuss Oxford Street Phase III, DPW garage project and the generator project.

Library referendum - Kevin Benbrook provided Council with a proposed ordinance for a referendum to dissolve the Belvidere Free Public Library and advised Council on the process involved.

The following are comments regarding the proposed ordinance:

Councilman Miller - referendum question is needed due to the financial repercussions.
Mayor Kennedy - may need town hall meeting with library.
Nancy Brown - ownership of building.
Marcia Haag - referendum question and bequeathed funds.
Eileen Scott - binding referendum
Heather Stokes - added tax.
Harry Brown - accurate numbers and facts needed from County. Need to consider employees rights and liabilities.
Councilwoman Napolitani - spoke with County Administrator regarding negotiation with employees.
Councilwoman Miers - email Council with questions.
Heather Durr - referendum question.
PJ Serrano - need apples for apples information. Use of volunteers at library.
Kevin Benbrook - Library Board of Trustees is a quasi-independent entity.
A **motion** was made by Councilwoman Miers and seconded by Councilman Makatura to introduce Ordinance No. O2016x03.

ORDINANCE NO. O2016x03

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

AN ORDINANCE TO PLACE A REFERENDUM QUESTION ON THE NOVEMBER BALLOT TO DISSOLVE THE TOWN'S FREE PUBLIC LIBRARY AND JOIN THE COUNTY LIBRARY SYSTEM

WHEREAS, the Town of Belvidere maintains a free public library and assesses a property tax levy upon the residents to provide the funds for the operational costs of the library; and

WHEREAS, the operational costs of the library are increasing, its hours of operation pursuant to which it is open to the public are limited, and its financial reserves depleted such that the ability to meet the library's future operational budgets without increasing the property tax burden upon the residents is in doubt; and

WHEREAS, the County of Warren maintains a County library system and has recently completed and opened a new, modern public library facility within a few miles of the Town of Belvidere, making the same convenient and accessible for the residents of the Town; and

WHEREAS, the Mayor and Town Council of the Town of Belvidere in the County of Warren is of the opinion that the public interest will best be served by dissolving the Town's library and joining the County library system and wish to place the dissolution of the Town's library as a binding referendum question for the vote by the residents of the Town.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Belvidere, County of Warren, State of New Jersey, as follows:

I. Pursuant to the provisions of N.J.S.A. 40:54-7.1, a question shall be placed on the ballot of the next general election seeking a vote by the legal voters of the Town whether they approve or disapprove of the dissolution of the Town's public library.

II. Pursuant to the foregoing statute, the question to be placed on the ballot shall be in the following form:

“Shall the free public library established pursuant to R.S. 40:54-1 et seq. in the Town of Belvidere be dissolved effective December 31, 2016 and provision made for assessing, levying, and collecting the special tax assessed, levied and collected to support the County library system entitling the residents of the Town of Belvidere to receive the same County library assistance services as are received by other municipalities within the County library system?”

[] YES

[] NO

III. In accordance with the statute, the following interpretive statement shall be included on the ballot:

“If the voters approve this question, the Town’s free public library will be dissolved, and the Town will become part of the Warren County library system.”

IV. Upon adoption, a copy of this ordinance shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs and with the State Librarian.

V. If the dissolution of the Town’s library is approved by a majority of the voters, pursuant to statute, the Town shall assume the assets and liabilities of the library, effective upon the date of dissolution. The Mayor and Town Council shall hold a joint meeting with the library board of trustees and the County library governing body as soon as practical for the purpose of implementing discontinuance of the use of the library facilities, the adjustment, the apportionment and accounting of all of the rights and liabilities and property of the Town library and arriving at an agreement with respect thereto. Pursuant to statute, in the absence of a mutually acceptable agreement, the Director of the Division of Local Government Services shall resolve the same.

3. This ordinance shall become effective after final passage and publication according to law and filing with the County of Warren as may be applicable.

NOTICE

The foregoing ordinance was introduced at a meeting of the Belvidere Town Council held on March 21, 2016 and was read for the first time. This ordinance will be further considered for final adoption by the Belvidere Town Council at a meeting to be held on May 16, 2016 at Belvidere Town Hall, 691 Water Street, Belvidere, NJ at 7:00 P.M. or at any time and place to which said meeting may be adjourned. All interested persons will be given the opportunity to be heard concerning said ordinance at that time. Any member of the general public can obtain a copy of said ordinance at no cost at the Municipal Clerk’s Office, 691 Water Street, Belvidere, Monday through Friday from 9:00 A.M. to 4:30 P.M.

Teresa A. Yeisley, RMC
Municipal Clerk/Administrator

Roll call:

Ayes - Councilman Fitzgerald, Councilman Makatura, Councilwoman Miers, Councilman Miller, Councilwoman Napolitani, Councilman Tutka, Mayor Kennedy

Nays - None

Abstentions - None

Absent - None

Councilman Miller and Mayor Kennedy met with the broker marketing an approximate 40 acre portion of the BASF property. There is an additional 90+ acres being considered for sale to the State of New Jersey. Discussion ensued.

A motion was made by Councilman Makatura, seconded by Councilwoman Miers and carried to write a letter to BASF for the Town to purchase the 90+ acres for \$1.00.

New Business:

There was no new business discussed at this time.

Appointments:

There were no appointments at this time.

Approval of Purchase Orders:

A motion was made by Councilman Fitzgerald, seconded by Councilman Makatura and carried to authorize the payment of the purchase orders in the amount of \$40,656.02.

Public Comment:

Harry Brown - PILOT program for BASF property.

Diane Malanga - Freedom Run with end of ride tribute to Terry Lee. Plaque to Mayor Kennedy.
Eileen Scott - brush pick-up. Barn collapsing on Independence Street.

Executive Session:

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adopt Resolution No. R2016x16.

RESOLUTION NO. R2016x16

TOWN OF BELVIDERE

WARREN COUNTY, STATE OF NEW JERSEY

A RESOLUTION FOR AN EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings act, Chapter 231,P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist,

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of Belvidere, County of Warren and State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter; and
2. The general nature of the subject matter to be discussed is:
Subject: Personnel
3. It is anticipated at this time that the above stated subject matter will be made public:
When Resolved.

Dated: March 21, 2016
Teresa A. Yeisley, R.M.C./C.P.M.
Municipal Clerk/Administrator

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to return to regular session.

Kevin Benbrook advised the public that Council was in executive session for approximately 20 minutes and discussed two personnel matters regarding the Director of the Department of Public Works and the Chief of Police. No action will be taken.

A motion was made by Councilwoman Napolitani, seconded by Councilwoman Miers and carried to adjourn the regular meeting of the Belvidere Town Council at 9:54 P.M.

Respectfully submitted,

Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator