

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
APRIL 24, 2017**

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, Councilman McAleer, Councilwoman Miers, Councilwoman Napolitani, Councilman Tutka

Absent - None

Approval of Minutes:

A **motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani with Councilman Tutka voting "no" and all others voting "yes" to adopt the April 10, 2017 workshop meeting minutes of the Belvidere Town Council.

Proclamation:

Town of Belvidere
Proclamation
Celebrating the Observance of the National Day of Prayer

Whereas, The 66th observance of the National Day of Payer will be held on Thursday, May 4, 2017, with the theme "For Your Great Name's Sake, Hear Us, Forgive Us, Heal Us" based on Daniel 9:19, "O Lord, listen! O Lord, forgive! O Lord, hear and act! For Your sake, O my God; and

Whereas, A National Day of Prayer has been part of our national heritage since it was declared by the First Continental Congress in 1775 and the United State Congress in 1952 approved a joint resolution, "That the President shall set aside and proclaim a suitable day each year, other than a Sunday, as National Day of Prayer, on which the people of the United States may turn to their God in prayer and meditation at churches, in groups and as individuals; and

Whereas, The United States Congress in 1988 by Public Law 100-307, as amended, established, "An act to provide for setting aside the first Thursday in May as the date on which the National Day of Prayer is celebrated ; and

Whereas, Leaders and citizens of our communities, cities, states and nation are afforded the privilege of prayer with the joy of seeking divine guidance, strength, protection and comfort from their God; and

Whereas, Recognizing the love of God, we, the citizens of Belvidere treasure the freedom to gather in prayer, exercising reliance on the power of God in the face of present challenges and threats and asking for blessings on every individual of our community.

Now, Therefore, Be it Proclaimed by the Belvidere Town Council that we do hereby proclaim May 4, 2017 as "Day of Prayer" throughout the Town of Belvidere and commend this observance to our citizens.

Councilman Tutka accepted the proclamation reminding everyone that we are a Judeo-Christian society that promotes the common ethical standards of Christianity and inter-religious cooperation. The Councilman also commented on Daniel 9 and the teachings of the bible.

Presentation:

Linda Stettler - Mrs. Stettler advised Council on the CERT (Community Emergency Response Team) training program starting on May 18th and ending June 13th. This is a nation-wide initiative to train people to be better prepared to respond to emergency situations in their communities. CERT members give critical support to first responders and can also assist with non-emergency projects that help improve the safety of the community. All those interested in attending the training need to contact Sharon Snyder by May 11th to register.

Delmont Cole, Chief of the Good Will Fire Department advised that they will be holding the Duck Race on August 13th. Tickets are now available. Also, the tank on the tanker truck is failing.

2017 Municipal Budget:

ORDINANCE NO. O2017x02

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

CALENDAR YEAR 2017

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.14 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Town Council of the Town of Belvidere in the County of Warren finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Town Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$87,701 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Town Council hereby determines that any amount authorized herein above that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Belvidere, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Town of Belvidere shall, in accordance with this ordinance and N.J.S.A.40A:4-45.14, be increased by 3.5%, amounting to \$87,701 and that the CY 2017 municipal budget for the Town of Belvidere be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with the said Director within 5 days after such adoption.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on

March 27, 2017 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 April 24, 2017 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.

NOTICE

Notice is hereby given that the forgoing ordinance was approved for final adoption by the Belvidere Town Council at a regular meeting held on April 24, 2017.

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to open the public hearing on Ordinance No. O2017x02.

John Mooney explained the reasoning for the CAP ordinance. The ordinance brought no public comment.

A motion was made by Councilman Makatura, seconded by Councilwoman Miers and carried to close the public hearing on Ordinance No. O2017x02.

Roll call:

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

Nays - None

Abstentions - None

Absent - None

A motion was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried to open the public hearing on the 2017 Municipal Budget.

John Mooney advised that there have been no changes to the budget since introduction.

The Town is well below both the levy and expenditure caps. There is a \$.02 increase to the tax rate with this budget.

Harry Brown - collection rate, cancellation from sewer, group health insurance, court revenues?

John Mooney - collection rate consistent with prior years with average being used, cancellation from sewer returned to surplus, group health insurance slightly up, court revenues adjusted for full year of shared court agreement.

Linda Stettler - does court uncollected fines effect budget?

John Mooney - yes. Can only anticipate up to what was collected in the prior year.

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to close the public hearing on the 2017 Municipal Budget.

Roll call:

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

Nays - Councilman Tutka

Abstentions - None

Absent - None

Councilman Tutka asked John Mooney, for clarification, about the \$40,000 used from sewer. Mr. Mooney stated that the \$40,000 used in the current fund budget from sewer was in 2014. Mayor Kennedy added that we have not recently used any sewer money in the current fund budget, but moving forward we will be charging items and salaries from the DPW used for sewer work, to the sewer budget.

Councilman Fitzgerald asked John Mooney his thoughts on funding capital items. Mr. Mooney advised that the Council needs to prioritize the items that are needed and come together with a decision on how the items will be funded.

Public Comment:

There was no public comment at this time.

Committee Reports:

Councilman McAleer - Good Will Fire duck race scheduled for August 13th. Belvidere Ambulance Corps will sell flowers out of municipal parking lot #1 on May 6th. Good Will Fire Company member, Trevor Farber will be joining the United States Air Force in June.

Councilman Makatura - PD had 303 calls for service in March. Chief Scott purchased a pole-mounted radar sign. There have been 61 summons issued for overweight vehicles in recent months. The ordinance regarding overweight vehicles should be amended so that the Town sees a greater revenue. Councilman Tutka initiated a discussion regarding the monthly summation reports and the top priorities and/or problems in the Town. Councilman Tutka stated that he was told by the Chief that he could not get a copy of the monthly summation report pursuant to Councilman Makatura. Councilman Makatura stated that the monthly summation reports were a public record and Council or the public could have a copy.

Councilwoman Napolitani - Brush pick-up began in April. Mowing equipment serviced for the season. Will begin installing flag holders.

A motion was made by Councilwoman Napolitani, seconded by Councilwoman Miers and carried authorizing a handicapped parking spot at 629 Third Street.

A motion was made by Councilman Fitzgerald, seconded by Councilman Makatura authorizing the removal of one handicapped parking spot on Mill Street.

The 1998 yellow dump truck is out of service and will cost approximately \$35,000 to repair. The roof in the DPW garage is leaking. John Snyder is considering a town-wide clean-up with dumpsters placed at the DPW yard. Councilman Tutka asked if the DPW keeps a "duty crew list". Councilwoman Napolitani stated that John Snyder keeps a daily log of what jobs were done and by whom. The Councilman also asked about the hours for the shovelers.

Councilwoman Miers - no report at this time.

Councilman Tutka - review of items from the BOE meeting. Belvidere Ambulance Corps had 57 calls in March, totaling 170 man hours with 16 calls in Belvidere. Recreation Committee will be having the Spring Fling this weekend. The pool used convict labor to assist with their spring clean-up. Will be purchasing a new chlorine tank. Still looking for a manager. Opening scheduled for June 10th. Elizabethtown Gas waiting for responses from Greenwich Street residents regarding new service. Also will check with residents of Parker Street. Approximately 8 poles left to be removed.

Councilman Fitzgerald - Spent time at pool over the weekend during clean-up. Sanding and painting needs to be done at the building. Shade Tree Commission provided information regarding the ash bore. John Snyder and Gordon Meyer have chosen some trees for treatment this year. Bartlett Tree will be assessing a hole in the Shoe Tree. The flag project has brought in over \$3,700 in donations and is moving forward. Economic Development is researching street scaping grants and looking for contact at Century Link regarding property and bucket truck donation.

Correspondence:

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried approving a street closure for Warren County War Memorial Corp on May 5th and the use of municipal parking lot #1 by the Belvidere Ambulance Corps for the sale of flowers on May 6th.

Councilwoman Napolitani initiated a discussion regarding a letter sent by Kevin Benbrook to the NJDEP requesting their consideration in decommissioning the Pequest dams. The Councilwoman questioned under who's authority this letter was sent. Mayor Kennedy stated that he thought this matter was discussed by Council.

Previous Business:

There was no previous business discussed at this time.

New Business:

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried approving raffle license applications RA2017-12 for the Warren County American Legion and RA2017-13 for the West Jersey Baseball.

A motion was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried approving Good Will Fire Company membership applications for Garrett Sassaman and

Christopher Evarts.

Resolutions:

A motion was made by Councilwoman Napolitani, seconded by Councilman Fitzgerald and carried to adopt Resolution No. R2017x25.

WHEREAS, some minor changes to the design plans are being made at the request of the Town's Board of Education in connection with a driveway opening that is situated within project limits; and

WHEREAS, project documents will have to be resubmitted to NJDOT's Municipal Aid office in Mt. Arlington as a result of the plan changes; and

WHEREAS, the Town will have to obtain new quotes for the masonry work; and

WHEREAS, the Town will have to make contact with and schedule the milling and paving work again with the contractor for the MCCPC; and

WHEREAS, the aforementioned tasks will take place after the April 2017 deadline for awarding a contract in the grant agreement; and

WHEREAS, the Town is in need of an extension of time from the NJDOT for the award of a construction contract to avoid losing the funding allocated in 2015; and

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE Town of Belvidere, that a request be filed with the NJDOT's Division of Local Aid and Economic Development for a six (6) month extension of time on the Oxford Street Improvement Project (Phase 3); and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the NJDOT's Division of Local Aid and Economic Development.

A motion was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried to adopt Resolution No. R2017x26.

RESOLUTION NO. R2017x26

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING AN EXPENDITURE FOR PARTICIPATION IN THE MUNICIPAL ALLIANCE PROGRAM FY18

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliance for the Prevention of Alcoholism and Drug Abuse in 1989 to educate the engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities in New Jersey; and

WHEREAS, the Belvidere Town Council recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Town Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Town Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Warren;

NOW, THEREFORE, BE IT RESOLVED, that the Belvidere Town Council hereby recognizes the following:

1. The Town Council does hereby authorize submission of a strategic plan for the Regional Municipal Alliance grant for fiscal year 2018 in the amount of:

DEDR	\$	3,852.00
Cash Match	\$	1,156.00
In-Kind	\$	2,889.00

2. The Town Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

A **motion** was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried to adopt Resolution No. R2017x27.

RESOLUTION NO. R2017x27

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 51, lot 1.26)

WHEREAS, Tax Sale Certificate 2016-023 dated October 28, 2016 on block 51, lot 1.26 was redeemed on October 28, 2016; and

WHEREAS, the premium paid at the sale in the amount of \$1,200.00 needs to be returned to US BANK AS CUST FOR PRO CAP 4 & CRDTS, lienholder of the aforementioned certificate;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Belvidere hereby authorizes the CFO to make payment in the amount of \$1,200.00 representing said refund.

US BANK AS CUST FOR PRO CAP 4 & CRDTS
 50 S 16TH ST STE 2050
 PHILADELPHIA, PA 19102

Date: April 24, 2017
 Teresa A. Yeisley, RMC/CPM
 Municipal Clerk/Administrator

A **motion** was made by Councilman Makatura, seconded by Councilwoman Miers and carried to adopt Resolution No. R2017x28.

RESOLUTION NO. R2017x28

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION APPROVING THE TOWN OF BELVIDERE'S PARTICIPATION IN THE "1033" PROGRAM ESTABLISHED BY THE UNITED STATES DEPARTMENT OF DEFENSE

WHEREAS, there is a program commonly known as the 1033 program established by the United States Department of Defense pursuant to 10 U.S.C. 21 s.2576a; and

WHEREAS, said program permits local law enforcement agencies to participate in surplus acquisition;

NOW, THEREFORE, BE IT RESOLVED that the Belvidere Town Council hereby authorizes the Town of Belvidere's participation in the 1033 Program.

Certification

I, Teresa A. Yeisley, Municipal Clerk/Administrator, Town of Belvidere do hereby certify that the foregoing resolution was duly adopted by the Belvidere Town Council at a regular meeting held on April 24, 2017.

Appointments:

There were no appointments at this time.

Approval of Purchase Orders:

A **motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried authorizing the payment of the purchase orders in the amount of \$537,600.13. There was discussion regarding weather works, the leaf machine and the first aid boxes.

Public Comment:

Harry Brown - daughter took survey approximately three years ago regarding gas installation on Parker Street. Was involved in Musconetcong dam removal in Hackettstown and it was a time consuming process but a really good outcome.

MaryJo Harris - reminded Council about their invitation to a breakfast meeting sponsored by the Warren County Prosecutor's Office. The subject being the legalization of marijuana in New Jersey and the speaker will be Kevin Wong.

Rheva Smickel - maybe the squad could fill the first aid boxes.

Councilwoman Napolitani - spoke with a resident who commended Becky Hosterman for her customer services skills and knowledge.

Kevin Benbrook - stated that the tax appeals for the Town are light.

Linda Stettler - video taping invaluable tool. Will this be discussed? Mayor Kennedy indicated that this will be discussed at the May 8th meeting.

A **motion** was made by Councilman Makatura to adjourn the meeting of the Belvidere Town Council at 9:15 PM.

Respectfully submitted,

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

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Roll Call:

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

Absent - None

Approval of Minutes:

A **motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani with Councilman Tutka voting "no" and all others voting "yes" to adopt the April 10, 2017 workshop meeting minutes of the Belvidere Town Council.

Proclamation:

Town of Belvidere
Proclamation
Celebrating the Observance of the National Day of Prayer

Whereas, The 66th observance of the National Day of Payer will be held on Thursday, May 4, 2017, with the theme "For Your Great Name's Sake, Hear Us, Forgive Us, Heal Us" based on Daniel 9:19, "O Lord, listen! O Lord, forgive! O Lord, hear and act! For Your sake, O my God; and

Whereas, A National Day of Prayer has been part of our national heritage since it was declared by the First Continental Congress in 1775 and the United State Congress in 1952 approved a joint resolution, "That the President shall set aside and proclaim a suitable day each year, other than a Sunday, as National Day of Prayer, on which the people of the United States may turn to their God in prayer and meditation at churches, in groups and as individuals; and

Whereas, The United States Congress in 1988 by Public Law 100-307, as amended, established, "An act to provide for setting aside the first Thursday in May as the date on which the National Day of Prayer is celebrated ; and

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Councilman Tutka accepted the proclamation reminding everyone that we are a Judeo-Christian society that promotes the common ethical standards of Christianity and inter-religious cooperation. The Councilman also commented on Daniel 9 and the teachings of the bible.

Presentation:

Linda Stettler - Mrs. Stettler advised Council on the CERT (Community Emergency Response Team) training program starting on May 18th and ending June 13th. This is a nation-wide initiative to train people to be better prepared to respond to emergency situations in their communities. CERT members give critical support to first responders and can also assist with non-emergency projects that help improve the safety of the community. All those interested in attending the training need to contact Sharon Snyder by May 11th to register.

Delmont Cole, Chief of the Good Will Fire Department advised that they will be holding the Duck Race on August 13th. Tickets are now available. Also, the tank on the tanker truck is failing.

2017 Municipal Budget:

ORDINANCE NO. O2017x02

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

CALENDAR YEAR 2017

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.14 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Town Council of the Town of Belvidere in the County of Warren finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Town Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$87,701 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Town Council hereby determines that any amount authorized herein above that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Belvidere, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Town of Belvidere shall, in accordance with this ordinance and N.J.S.A.40A:4-45.14, be increased by 3.5%, amounting to \$87,701 and that the CY 2017 municipal budget for the Town of Belvidere be approved and adopted in accordance with this ordinance; and

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John Mooney explained the reasoning for the CAP ordinance. The ordinance brought no public comment.

A motion was made by Councilman Makatura, seconded by Councilwoman Miers and carried to close the public hearing on Ordinance No. O2017x02.

Roll call:

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

Nays - None

Abstentions - None

Absent - None

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Nays - Councilman Tutka

Abstentions - None

Absent - None

Councilman Tutka asked John Mooney, for clarification, about the \$40,000 used from sewer. Mr. Mooney stated that the \$40,000 used in the current fund budget from sewer was in 2014. Mayor Kennedy added that we have not recently used any sewer money in the current fund budget, but moving forward we will be charging items and salaries from the DPW used for sewer work, to the sewer budget.

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Public Comment:

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Committee Reports:

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Christopher Evarts.

Resolutions:

A motion was made by Councilwoman Napolitani, seconded by Councilman Fitzgerald and carried to adopt Resolution No. R2017x25.

WHEREAS, some minor changes to the design plans are being made at the request of the Town's Board of Education in connection with a driveway opening that is situated within project limits; and

WHEREAS, project documents will have to be resubmitted to NJDOT's Municipal Aid office in Mt. Arlington as a result of the plan changes; and

WHEREAS, the Town will have to obtain new quotes for the masonry work; and

WHEREAS, the Town will have to make contact with and schedule the milling and paving work again with the contractor for the MCCPC; and

WHEREAS, the aforementioned tasks will take place after the April 2017 deadline for awarding a contract in the grant agreement; and

WHEREAS, the Town is in need of an extension of time from the NJDOT for the award of a construction contract to avoid losing the funding allocated in 2015; and

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE Town of Belvidere, that a request be filed with the NJDOT's Division of Local Aid and Economic Development for a six (6) month extension of time on the Oxford Street Improvement Project (Phase 3); and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the NJDOT's Division of Local Aid and Economic Development.

A motion was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried to adopt Resolution No. R2017x26.

RESOLUTION NO. R2017x26

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING AN EXPENDITURE FOR PARTICIPATION IN THE MUNICIPAL ALLIANCE PROGRAM FY18

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliance for the Prevention of Alcoholism and Drug Abuse in 1989 to educate the engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities in New Jersey; and

WHEREAS, the Belvidere Town Council recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Town Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Town Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Warren;

NOW, THEREFORE, BE IT RESOLVED, that the Belvidere Town Council hereby recognizes the following:

1. The Town Council does hereby authorize submission of a strategic plan for the Regional Municipal Alliance grant for fiscal year 2018 in the amount of:

DEDR	\$	3,852.00
Cash Match	\$	1,156.00
In-Kind	\$	2,889.00

2. The Town Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

A **motion** was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried to adopt Resolution No. R2017x27.

RESOLUTION NO. R2017x27

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 51, lot 1.26)

WHEREAS, Tax Sale Certificate 2016-023 dated October 28, 2016 on block 51, lot 1.26 was redeemed on October 28, 2016; and

WHEREAS, the premium paid at the sale in the amount of \$1,200.00 needs to be returned to US BANK AS CUST FOR PRO CAP 4 & CRDTS, lienholder of the aforementioned certificate;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Belvidere hereby authorizes the CFO to make payment in the amount of \$1,200.00 representing said refund.

US BANK AS CUST FOR PRO CAP 4 & CRDTS
 50 S 16TH ST STE 2050
 PHILADELPHIA, PA 19102

Date: April 24, 2017
 Teresa A. Yeisley, RMC/CPM
 Municipal Clerk/Administrator

A **motion** was made by Councilman Makatura, seconded by Councilwoman Miers and carried to adopt Resolution No. R2017x28.

RESOLUTION NO. R2017x28

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION APPROVING THE TOWN OF BELVIDERE'S PARTICIPATION IN THE "1033" PROGRAM ESTABLISHED BY THE UNITED STATES DEPARTMENT OF DEFENSE

WHEREAS, there is a program commonly known as the 1033 program established by the United States Department of Defense pursuant to 10 U.S.C. 21 s.2576a; and

WHEREAS, said program permits local law enforcement agencies to participate in surplus acquisition;

NOW, THEREFORE, BE IT RESOLVED that the Belvidere Town Council hereby authorizes the Town of Belvidere's participation in the 1033 Program.

Certification

I, Teresa A. Yeisley, Municipal Clerk/Administrator, Town of Belvidere do hereby certify that the foregoing resolution was duly adopted by the Belvidere Town Council at a regular meeting held on April 24, 2017.

Appointments:

There were no appointments at this time.

Approval of Purchase Orders:

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried authorizing the payment of the purchase orders in the amount of \$537,600.13. There was discussion regarding weather works, the leaf machine and the first aid boxes.

Public Comment:

Harry Brown - daughter took survey approximately three years ago regarding gas installation on Parker Street. Was involved in Musconetcong dam removal in Hackettstown and it was a time consuming process but a really good outcome.

MaryJo Harris - reminded Council about their invitation to a breakfast meeting sponsored by the Warren County Prosecutor's Office. The subject being the legalization of marijuana in New Jersey and the speaker will be Kevin Wong.

Rheva Smickel - maybe the squad could fill the first aid boxes.

Councilwoman Napolitani - spoke with a resident who commended Becky Hosterman for her customer services skills and knowledge.

Kevin Benbrook - stated that the tax appeals for the Town are light.

Linda Stettler - video taping invaluable tool. Will this be discussed? Mayor Kennedy indicated that this will be discussed at the May 8th meeting.

A motion was made by Councilman Makatura to adjourn the meeting of the Belvidere Town Council at 9:15 PM.

Respectfully submitted,

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

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
APRIL 24, 2017**

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, Councilman McAleer, Councilwoman Miers, Councilwoman Napolitani, Councilman Tutka

Absent - None

Approval of Minutes:

A **motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani with Councilman Tutka voting "no" and all others voting "yes" to adopt the April 10, 2017 workshop meeting minutes of the Belvidere Town Council.

Proclamation:

Town of Belvidere
Proclamation
Celebrating the Observance of the National Day of Prayer

Whereas, The 66th observance of the National Day of Payer will be held on Thursday, May 4, 2017, with the theme "For Your Great Name's Sake, Hear Us, Forgive Us, Heal Us" based on Daniel 9:19, "O Lord, listen! O Lord, forgive! O Lord, hear and act! For Your sake, O my God; and

Whereas, A National Day of Prayer has been part of our national heritage since it was declared by the First Continental Congress in 1775 and the United State Congress in 1952 approved a joint resolution, "That the President shall set aside and proclaim a suitable day each year, other than a Sunday, as National Day of Prayer, on which the people of the United States may turn to their God in prayer and meditation at churches, in groups and as individuals; and

Whereas, The United States Congress in 1988 by Public Law 100-307, as amended, established, "An act to provide for setting aside the first Thursday in May as the date on which the National Day of Prayer is celebrated ; and

Whereas, Leaders and citizens of our communities, cities, states and nation are afforded the privilege of prayer with the joy of seeking divine guidance, strength, protection and comfort from their God; and

Whereas, Recognizing the love of God, we, the citizens of Belvidere treasure the freedom to gather in prayer, exercising reliance on the power of God in the face of present challenges and threats and asking for blessings on every individual of our community.

Now, Therefore, Be it Proclaimed by the Belvidere Town Council that we do hereby proclaim May 4, 2017 as "Day of Prayer" throughout the Town of Belvidere and commend this observance to our citizens.

Councilman Tutka accepted the proclamation reminding everyone that we are a Judeo-Christian society that promotes the common ethical standards of Christianity and inter-religious cooperation. The Councilman also commented on Daniel 9 and the teachings of the bible.

Presentation:

Linda Stettler - Mrs. Stettler advised Council on the CERT (Community Emergency Response Team) training program starting on May 18th and ending June 13th. This is a nation-wide initiative to train people to be better prepared to respond to emergency situations in their communities. CERT members give critical support to first responders and can also assist with non-emergency projects that help improve the safety of the community. All those interested in attending the training need to contact Sharon Snyder by May 11th to register.

Delmont Cole, Chief of the Good Will Fire Department advised that they will be holding the Duck Race on August 13th. Tickets are now available. Also, the tank on the tanker truck is failing.

2017 Municipal Budget:

ORDINANCE NO. O2017x02

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

CALENDAR YEAR 2017

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.14 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Town Council of the Town of Belvidere in the County of Warren finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Town Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$87,701 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Town Council hereby determines that any amount authorized herein above that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Belvidere, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Town of Belvidere shall, in accordance with this ordinance and N.J.S.A.40A:4-45.14, be increased by 3.5%, amounting to \$87,701 and that the CY 2017 municipal budget for the Town of Belvidere be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with the said Director within 5 days after such adoption.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on

March 27, 2017 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 April 24, 2017 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.

NOTICE

Notice is hereby given that the forgoing ordinance was approved for final adoption by the Belvidere Town Council at a regular meeting held on April 24, 2017.

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to open the public hearing on Ordinance No. O2017x02.

John Mooney explained the reasoning for the CAP ordinance. The ordinance brought no public comment.

A motion was made by Councilman Makatura, seconded by Councilwoman Miers and carried to close the public hearing on Ordinance No. O2017x02.

Roll call:

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

Nays - None

Abstentions - None

Absent - None

A motion was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried to open the public hearing on the 2017 Municipal Budget.

John Mooney advised that there have been no changes to the budget since introduction.

The Town is well below both the levy and expenditure caps. There is a \$.02 increase to the tax rate with this budget.

Harry Brown - collection rate, cancellation from sewer, group health insurance, court revenues?

John Mooney - collection rate consistent with prior years with average being used, cancellation from sewer returned to surplus, group health insurance slightly up, court revenues adjusted for full year of shared court agreement.

Linda Stettler - does court uncollected fines effect budget?

John Mooney - yes. Can only anticipate up to what was collected in the prior year.

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to close the public hearing on the 2017 Municipal Budget.

Roll call:

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

Nays - Councilman Tutka

Abstentions - None

Absent - None

Councilman Tutka asked John Mooney, for clarification, about the \$40,000 used from sewer. Mr. Mooney stated that the \$40,000 used in the current fund budget from sewer was in 2014. Mayor Kennedy added that we have not recently used any sewer money in the current fund budget, but moving forward we will be charging items and salaries from the DPW used for sewer work, to the sewer budget.

Councilman Fitzgerald asked John Mooney his thoughts on funding capital items. Mr. Mooney advised that the Council needs to prioritize the items that are needed and come together with a decision on how the items will be funded.

Public Comment:

There was no public comment at this time.

Committee Reports:

Councilman McAleer - Good Will Fire duck race scheduled for August 13th. Belvidere Ambulance Corps will sell flowers out of municipal parking lot #1 on May 6th. Good Will Fire Company member, Trevor Farber will be joining the United States Air Force in June.

Councilman Makatura - PD had 303 calls for service in March. Chief Scott purchased a pole-mounted radar sign. There have been 61 summons issued for overweight vehicles in recent months. The ordinance regarding overweight vehicles should be amended so that the Town sees a greater revenue. Councilman Tutka initiated a discussion regarding the monthly summation reports and the top priorities and/or problems in the Town. Councilman Tutka stated that he was told by the Chief that he could not get a copy of the monthly summation report pursuant to Councilman Makatura. Councilman Makatura stated that the monthly summation reports were a public record and Council or the public could have a copy.

Councilwoman Napolitani - Brush pick-up began in April. Mowing equipment serviced for the season. Will begin installing flag holders.

A motion was made by Councilwoman Napolitani, seconded by Councilwoman Miers and carried authorizing a handicapped parking spot at 629 Third Street.

A motion was made by Councilman Fitzgerald, seconded by Councilman Makatura authorizing the removal of one handicapped parking spot on Mill Street.

The 1998 yellow dump truck is out of service and will cost approximately \$35,000 to repair. The roof in the DPW garage is leaking. John Snyder is considering a town-wide clean-up with dumpsters placed at the DPW yard. Councilman Tutka asked if the DPW keeps a "duty crew list". Councilwoman Napolitani stated that John Snyder keeps a daily log of what jobs were done and by whom. The Councilman also asked about the hours for the shovelers.

Councilwoman Miers - no report at this time.

Councilman Tutka - review of items from the BOE meeting. Belvidere Ambulance Corps had 57 calls in March, totaling 170 man hours with 16 calls in Belvidere. Recreation Committee will be having the Spring Fling this weekend. The pool used convict labor to assist with their spring clean-up. Will be purchasing a new chlorine tank. Still looking for a manager. Opening scheduled for June 10th. Elizabethtown Gas waiting for responses from Greenwich Street residents regarding new service. Also will check with residents of Parker Street. Approximately 8 poles left to be removed.

Councilman Fitzgerald - Spent time at pool over the weekend during clean-up. Sanding and painting needs to be done at the building. Shade Tree Commission provided information regarding the ash bore. John Snyder and Gordon Meyer have chosen some trees for treatment this year. Bartlett Tree will be assessing a hole in the Shoe Tree. The flag project has brought in over \$3,700 in donations and is moving forward. Economic Development is researching street scaping grants and looking for contact at Century Link regarding property and bucket truck donation.

Correspondence:

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried approving a street closure for Warren County War Memorial Corp on May 5th and the use of municipal parking lot #1 by the Belvidere Ambulance Corps for the sale of flowers on May 6th.

Councilwoman Napolitani initiated a discussion regarding a letter sent by Kevin Benbrook to the NJDEP requesting their consideration in decommissioning the Pequest dams. The Councilwoman questioned under who's authority this letter was sent. Mayor Kennedy stated that he thought this matter was discussed by Council.

Previous Business:

There was no previous business discussed at this time.

New Business:

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried approving raffle license applications RA2017-12 for the Warren County American Legion and RA2017-13 for the West Jersey Baseball.

A motion was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried approving Good Will Fire Company membership applications for Garrett Sassaman and

Christopher Evarts.

Resolutions:

A motion was made by Councilwoman Napolitani, seconded by Councilman Fitzgerald and carried to adopt Resolution No. R2017x25.

WHEREAS, some minor changes to the design plans are being made at the request of the Town's Board of Education in connection with a driveway opening that is situated within project limits; and

WHEREAS, project documents will have to be resubmitted to NJDOT's Municipal Aid office in Mt. Arlington as a result of the plan changes; and

WHEREAS, the Town will have to obtain new quotes for the masonry work; and

WHEREAS, the Town will have to make contact with and schedule the milling and paving work again with the contractor for the MCCPC; and

WHEREAS, the aforementioned tasks will take place after the April 2017 deadline for awarding a contract in the grant agreement; and

WHEREAS, the Town is in need of an extension of time from the NJDOT for the award of a construction contract to avoid losing the funding allocated in 2015; and

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE Town of Belvidere, that a request be filed with the NJDOT's Division of Local Aid and Economic Development for a six (6) month extension of time on the Oxford Street Improvement Project (Phase 3); and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the NJDOT's Division of Local Aid and Economic Development.

A motion was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried to adopt Resolution No. R2017x26.

RESOLUTION NO. R2017x26

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING AN EXPENDITURE FOR PARTICIPATION IN THE MUNICIPAL ALLIANCE PROGRAM FY18

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliance for the Prevention of Alcoholism and Drug Abuse in 1989 to educate the engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities in New Jersey; and

WHEREAS, the Belvidere Town Council recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Town Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Town Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Warren;

NOW, THEREFORE, BE IT RESOLVED, that the Belvidere Town Council hereby recognizes the following:

1. The Town Council does hereby authorize submission of a strategic plan for the Regional Municipal Alliance grant for fiscal year 2018 in the amount of:

DEDR	\$	3,852.00
Cash Match	\$	1,156.00
In-Kind	\$	2,889.00

2. The Town Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

A **motion** was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried to adopt Resolution No. R2017x27.

RESOLUTION NO. R2017x27

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 51, lot 1.26)

WHEREAS, Tax Sale Certificate 2016-023 dated October 28, 2016 on block 51, lot 1.26 was redeemed on October 28, 2016; and

WHEREAS, the premium paid at the sale in the amount of \$1,200.00 needs to be returned to US BANK AS CUST FOR PRO CAP 4 & CRDTS, lienholder of the aforementioned certificate;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Belvidere hereby authorizes the CFO to make payment in the amount of \$1,200.00 representing said refund.

US BANK AS CUST FOR PRO CAP 4 & CRDTS
 50 S 16TH ST STE 2050
 PHILADELPHIA, PA 19102

Date: April 24, 2017
 Teresa A. Yeisley, RMC/CPM
 Municipal Clerk/Administrator

A **motion** was made by Councilman Makatura, seconded by Councilwoman Miers and carried to adopt Resolution No. R2017x28.

RESOLUTION NO. R2017x28

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION APPROVING THE TOWN OF BELVIDERE'S PARTICIPATION IN THE "1033" PROGRAM ESTABLISHED BY THE UNITED STATES DEPARTMENT OF DEFENSE

WHEREAS, there is a program commonly known as the 1033 program established by the United States Department of Defense pursuant to 10 U.S.C. 21 s.2576a; and

WHEREAS, said program permits local law enforcement agencies to participate in surplus acquisition;

NOW, THEREFORE, BE IT RESOLVED that the Belvidere Town Council hereby authorizes the Town of Belvidere's participation in the 1033 Program.

Certification

I, Teresa A. Yeisley, Municipal Clerk/Administrator, Town of Belvidere do hereby certify that the foregoing resolution was duly adopted by the Belvidere Town Council at a regular meeting held on April 24, 2017.

Appointments:

There were no appointments at this time.

Approval of Purchase Orders:

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried authorizing the payment of the purchase orders in the amount of \$537,600.13. There was discussion regarding weather works, the leaf machine and the first aid boxes.

Public Comment:

Harry Brown - daughter took survey approximately three years ago regarding gas installation on Parker Street. Was involved in Musconetcong dam removal in Hackettstown and it was a time consuming process but a really good outcome.

MaryJo Harris - reminded Council about their invitation to a breakfast meeting sponsored by the Warren County Prosecutor's Office. The subject being the legalization of marijuana in New Jersey and the speaker will be Kevin Wong.

Rheva Smickel - maybe the squad could fill the first aid boxes.

Councilwoman Napolitani - spoke with a resident who commended Becky Hosterman for her customer services skills and knowledge.

Kevin Benbrook - stated that the tax appeals for the Town are light.

Linda Stettler - video taping invaluable tool. Will this be discussed? Mayor Kennedy indicated that this will be discussed at the May 8th meeting.

A motion was made by Councilman Makatura to adjourn the meeting of the Belvidere Town Council at 9:15 PM.

Respectfully submitted,

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