

**MINUTES - TOWN COUNCIL WORKSHOP MEETING  
TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
691 Water Street  
OCTOBER 5, 2015**

Mayor Stettler opened the workshop meeting of the Belvidere Town Council with the Pledge of Allegiance and 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 Stettler, Councilman Kennedy, Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Petre, Councilman Sebold  
Absent - None

**Approval of Minutes:**

A **motion** was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt the September 21, 2015 regular and executive meeting minutes of the Belvidere Town Council.

**Public Comment:**

There was no public comment at this time.

Councilwoman Miers asked for a moment of silence in memory of Howard Ott and Kurt Klink.

A **motion** was made by Councilwoman Miers, seconded by Councilman Kennedy and carried to discuss the Howell Street matter first and then the recodification project.

**Howell Street:**

Katrina Campbell recused herself from any discussion regarding Howell Street due to a conflict of interest.

Councilman Kennedy provided a review of recent history regarding the Howell Street matter.

A **motion** was made by Councilwoman Miers and seconded by Councilman Makatura to hire Kevin Benbrook, Esq. as special counsel to advise on questions regarding the future of Howell Street.

**Roll call:**

**Ayes - Councilman Kennedy, Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Petre, Councilman Sebold, Mayor Stettler**

**Nays - None**

**Abstentions - None**

**Absent - None**

**Recodification Project:**

Council, along with the advice and guidance of Katrina Campbell and Teresa Yeisley, reviewed the entire recodification portfolio provided by General Code.

**Resolutions:**

A **motion** was made by Councilman Petre, seconded by Councilman Kennedy and carried to adopt Resolution No. R2015x80.

**RESOLUTION NO. R2015x80**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION APPROVING AN AMENDMENT TO THE MUNICIPAL SHARED SERVICES DEFENSE AGREEMENT FOR COAH LITIGATION**

WHEREAS, the Town Council of the Town of Belvidere entered into the Municipal Shared Services Agreement ("MSSDA") for the purpose as set forth therein, which included retaining a

common expert in the Declaratory Judgement action (“Litigation”) that was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Decision”); and

WHEREAS, the MSSDA identified Dr. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained; and

WHEREAS, Dr. Burchell became ill and has been unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

WHEREAS, as a result, Rutgers University has exercised its right to terminate the Research Agreement as permitted under its terms; and

WHEREAS, the MSSDA requires modification to allow the members to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

WHEREAS, an Amendment to the MSSDA (“Amendment”) has been prepared to effectuate the modification’ and

WHEREAS, the Belvidere Town Council recognizes that the Litigation requires immediate action and may require further actions by its counsel determined to be necessary and appropriate; and

WHEREAS, the Belvidere Town Council has determined that it is in the best interests of the citizens of the Town of Belvidere to approve the Amendment, and/or to affirm and ratify the Amendment, and to authorize their designated counsel to take actions on behalf of the municipality with regard to the municipality of issues raised and associated with the continued implementation of the MSSDA;

NOW, THEREFORE BE IT RESOLVED by the Belvidere Town Council as follows:

1. The terms and conditions of the Amendment to MSSDA attached hereto are hereby approved, and/or ratified and confirmed.
2. The Mayor and Municipal Clerk, be and are hereby authorized to execute the aforesaid Amendment.
3. The Belvidere Town Council hereby authorizes Jeffery R. Surenian, Esq., to execute an agreement on behalf of the Town of Belvidere with Econsult Solutions, Inc. The Belvidere Town Council hereby authorizes Jeffrey R. Surenian, Esq., to execute on behalf of the Town of Belvidere with the approval of the Town of Belvidere’s designated counsel such other agreement(s) as are advisable to effectuate the purposes of the MSSDA as amended.
4. The Belvidere Town Council further authorizes its designated counsel to approve such other changes to the MSSDA as may be necessary to effectuate its purposes and to take action on behalf of the municipality with regard to the multiplicity of issues raised and associated with the implementation of the MSSDA provided that the action will not require the municipality to appropriate and commit any additional funding for the MSSDA.

In the event such changes and actions require the municipality to appropriate and commit any additional funding for the MSSDA, the Town of Belvidere shall only be responsible for such funding if it authorizes same.

5. In addition, monies are needed to effectuate the intent and purpose of the MSSDA, no such services shall be authorized by designated counsel without further action from the Town.

6. This Resolution shall take effect immediately.

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 its October 5, 2015 meeting.

**A motion** was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt Resolution No. R2015x81.

**RESOLUTION NO. R2015x81**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 36, lot 12)**

WHEREAS, Tax Sale Certificate 2014-041 dated October 20, 2014 on block 36, lot 12 was redeemed on September 30, 2015; and

WHEREAS, the premium paid at the sale in the amount of \$4,800.00 needs to be returned to LIEN MACHINE LLC, 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 \$4,800.00 representing said refund.

LIEN MACHINE LLC  
184 LIVINGSTON STE 9-152  
LIVINGSTON, NJ 07039

Date: October 5, 2015  
Teresa A. Yeisley, RMC/CPM  
Municipal Clerk/Administrator

**Approval of Purchase Orders:**

**A motion** was made by Councilman Kennedy, seconded by Councilman Makatura and carried to authorize the payment of the purchase orders in the amount of \$312,383.92.

**A motion** was made by Councilman Kennedy, seconded by Councilman Petre and carried to adjourn the meeting of the Belvidere Town Council at 9:26 PM.

Respectfully submitted,

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