

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
NOVEMBER 17, 2014**

Mayor Stettler opened the regular 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 Sebold, Councilman Viglianco
Absent - None

Approval of Minutes:

A **motion** was made by Councilwoman Miers, seconded by Councilman Sebold and carried to adopt the October 20, 2014 regular and executive meeting minutes of the Belvidere Town Council.

Public Comment:

There was no public comment at this time.

Executive Session:

A **motion** was made by Councilman Makatura and seconded by Councilman Kennedy to adopt Resolution No. R2014x98.

RESOLUTION NO. R2014x98

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: Contract Negotiations
3. It is anticipated at this time that the above stated subject matter will be made public:
When Resolved.

Dated: November 17, 2014

Teresa A. Yeisley, R.M.C./C.P.M.

Municipal Clerk/Administrator

Roll call:

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

Nays - None

Abstentions - None

Absent - None

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

A motion was made by Councilman Kennedy and seconded by Councilwoman Miers to accept the contract as discussed with Matthew Scott and to schedule Matthew Scott to take the oath of office as Chief of Police on December 1, 2014.

Roll call:

Ayes - Councilman Kennedy, Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani

Nays - Councilman Sebold, Councilman Viglianco

Abstentions - Mayor Stettler

Absent - None

Council invited the affected parties regarding Howell Street to attend the meeting to voice their ideas regarding same.

Kim Peckman-Greenwald - other paper alleys and streets in Town that should be addressed

Gena DiMaio - wants the Town to proceed and come to a decision

Morris Scott - does not want the street to be vacated

Jeff Berezny - has maintained the property on the southerly side and would like the piece in question to be vacated or sold to him

John DiMaio - a truck depot was being run out of a property adjacent to Howell Street. Existing ordinances should be enforced.

Committee Reports:

Councilman Makatura - attended Shade Tree Commission meeting. They want to volunteer to prune trees using DPW equipment. Would like a portion of the tree budget to be used for revitalization.

Councilwoman Napolitani - review of DPW activities, budgets ready to be submitted. Reviewed information distributed regarding brush program.

A motion was made by Councilwoman Napolitani, seconded by Councilman Kennedy and carried to implement the new brush collection program as discussed.

Belvidere Area Seniors has now been established. Nutrition ad-hoc will have one more meeting to wrap up.

Councilman Sebold - met with Councilwoman Napolitani, John Snyder, Bob Yeisley and Matt Scott to discuss their ideas for a snow parking ordinance. Basketball stantions, dumpsters and campers encroaching on the streets will be addressed.

A motion was made by Councilman Sebold, seconded by Councilwoman Napolitani and carried to notify police departments that the firing range is available once a loss control inspection has been performed by our insurance carrier. Dominick Santini will prepare a standard agreement for departments wishing to use our facility and a fee will be determined.

Mayor Stettler - Council reorganization meeting will be scheduled for January 1st at 12:00 PM.

Councilwoman Miers - Historic Preservation approved brick facing for store fronts on Market Street. Will be meeting with CFO regarding 2014 budget transfers.

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to write a letter to the Local Finance Board and copy the Attorney General seeking clarification on the validity of the Town's four-year mayoral term change in 2008.

Councilman Kennedy - all certifications have been received on the pool bonding project. The tennis court project is complete and has received a loss control inspection. There will be a rededication ceremony on November 22nd.

Councilman Viglianco - no report at this time.

Correspondence:

There was no correspondence discussed at this time.

Old Business:

There was discussion regarding the “Bear Town” cemetery. Dominick Santini advised that cemeteries are governed by the New Jersey State Cemetery Commission. Councilwoman Miers will research the ownership of the cemetery.

There was discussion about the holiday wreath lighting. Jeff Berezny offered to donate his time and equipment to assist the DPW in hanging the wreaths.

A **motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to use the solar lights on the wreaths provided that no moneys can be collected as donations to fund the cost of electric lights.

New Business:

There was no new business discussed at this time.

Resolutions:

A **motion** was made by Councilman Kennedy, seconded by Councilman Makatura and carried to adopt Resolution No. R2014x96.

RESOLUTION NO. R2014x96

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION SEEKING ASSISTANCE FOR MUNICIPALITIES WITH SIGNIFICANT TAX-EXEMPT PROPERTIES

WHEREAS, N.J.S.A. 54:4-3.6 provides for property tax exemptions for nonprofit organizations; and

WHEREAS, in 2013, the Town of Belvidere had \$129,600,712 in net taxable properties and \$38,119,600 or 22.73% of the tax base as tax exempt properties; and

WHEREAS, the Town of Belvidere recognizes the many benefits provided by nonprofit organizations, typically at no cost, or at a reduced cost, to Belvidere residents; and

WHEREAS, the Town of Belvidere also recognizes that many of the service providers located in the Town of Belvidere provide services not only to Belvidere residents but to other municipalities in Warren County and those outside of Warren County; and

WHEREAS, tax exempt properties utilize many basic municipal services, including roads, police, fire and EMT , without contributing any funds towards the cost of such services through property tax payments; and

WHEREAS, 79 municipalities in New Jersey have been identified as having more than 20% of their municipal tax base occupied by tax exempt properties; and

WHEREAS, Belvidere wishes to work with other municipalities with more than 20% of their tax base considered exempt, the New Jersey League of Municipalities and elected officials to craft legislation to provide tax-exempt property relief; and

WHEREAS, Belvidere supports any legislation seeking an increase in State aid to municipalities which have significant tax-exempt land, including an offset or a credit for municipalities that serve as the County Seat;

NOW, THEREFORE, BE IT RESOLVED that a copy of this resolution be provided to the New Jersey League of Municipalities for consideration by the League at its annual conference and to our State legislators for their consideration.

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 November 17, 2014.

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

A **motion** was made by Councilman Sebold, seconded by Councilman Makatura and carried to adopt Resolution No. R2014x97.

RESOLUTION NO. R2014x97

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION IN OPPOSING THE LEGALIZATION OF MARIJUANA AND THE PRODUCTION OF IT AS A CROP IN THE STATE OF NEW JERSEY

WHEREAS, the State of New Jersey, pursuant to the Comprehensive Drug Reform Act of 1987, N.J.S.A. 2C:35-1 st seq., declares it to be a crime to manufacture, sell, distribute, possess, use or be under the influence of a controlled dangerous substance without a prescription; and

WHEREAS, the New Jersey Comprehensive Drug Reform Act defines a controlled dangerous substance to include marijuana (cannabis); and

WHEREAS, the Town of Belvidere affirms the New Jersey Legislature's findings that the unlawful manufacture, distribution, possession and use of a controlled substance, specifically marijuana, for recreation purposes poses a serious and pervasive threat to the health, safety and welfare of the residents of the Town of Belvidere; and

WHEREAS, the manufacture, distribution, possession and use of marijuana for recreational purposes can undermine the quality of life enjoyed by all persons who live and work in the boundaries of the Town of Belvidere;

NOW, THEREFORE, BE IT RESOLVED that the Belvidere Town Council shall not make any decision, take any action, or support in any way the action of any Board, Committee, or other Town related entity which would support, sanction, authorize or promote the cultivation, growth, manufacturing, production, sale or possession of marijuana for recreational use;

BE IT FURTHER RESOLVED that the Belvidere Town Council does support the use of marijuana for medical purposes.

Date: November 17, 2014
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

Ordinance:

ORDINANCE NO. O2014x11

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$75,000 FOR IMPROVEMENTS TO THE MUNICIPAL POOL IN AND BY THE TOWN OF BELVIDERE, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$75,000 BONDS OR NOTES OF THE TOWN FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED, BY THE TOWN COUNCIL OF THE TOWN OF BELVIDERE, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the “Improvements”) is hereby authorized to be undertaken by the Town of Belvidere, in the County of Warren, New Jersey (the “Town”) as a general improvement. For the said Improvement there is hereby appropriated the amount of \$75,000. No down payment is required by the Local Bond Law of the State of New Jersey, constituting Chapter 2, of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”) as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Town, as more fully explained in Section 6(e) of this ordinance.

SECTION 2:

In order to finance the cost of the Improvements negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$75,000 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said Improvements or purposes, negotiable bond anticipation notes of the Town are hereby authorized to be issued in the principal amount not exceeding \$75,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

(a) The Improvements hereby authorized and the purposes for the financing of which said obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bond or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

<u>Improvement of Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
Improvements to the Municipal Pool, which authorization by the Town pursuant to an emergency appropriation adopted on September 2, 2014, including all work or materials necessary therefor or incidental thereto.	\$75,000	\$75,000	15 years

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$75,000.

(c) The estimated cost of the Improvement is \$75,000 which amount represents the initial appropriation made by the Town.

SECTION 4.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Town (the “Chief Financial Officer”); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Town Council of

the Town at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Town is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Town Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this Bond Ordinance is not a current expense, and are capital improvements or properties that the Town may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is fifteen (15) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Town Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Town, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$75,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$25,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Town authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Town as funds applicable only to the payment of obligations of the Town authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Town reasonably expects to pay expenditures with respect to the Improvement prior to the date that Town incurs debt obligations under this Bond Ordinance. The Town reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Town under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$75,000.

SECTION 10.

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

NOTICE

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Town of Belvidere held on November 3, 2014. It will be further considered for final passage after public hearing thereon at a meeting of the governing body to be held at Belvidere Town Hall, 691 Water Street, Belvidere on November 17, 2014 at 7:00 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours at the Municipal Clerk's office for the members of the general public who shall request the same.

NOTICE

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Town of Belvidere, in the County of Warren, State of New Jersey on November 17, 2014 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same.

A motion was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to open the public hearing on Ordinance No. O2014x11.

The ordinance brought no public comment.

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to close the public hearing on Ordinance No. O2014x11.

A motion was made by Councilman Kennedy and seconded by Councilman Viglianco to adopt Ordinance No. O2014x11.

Roll call:

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

Nays - None

Abstentions - None

Absent - None

Appointments:

A motion was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to appoint Marcia Haag to the Belvidere Free Public Library Board of Trustees to fill the unexpired term (12/31/16) of Naomi Stout.

Approval of Purchase Orders:

A motion was made by Councilwoman Miers, seconded by Councilman Sebold and carried to authorize the payment of the purchase orders in the amount of \$480,742.61.

Public Comment:

Nancy Brown - thank you to Councilwoman Napolitani for her efforts with the senior nutrition program. Asked about changing the mayoral term ordinance without changing the charter.

Dominick Santini advised that as long as it doesn't violate the statute, then it can be done.

Eileen Scott - moving the basketball nets off the street should be announced through the school. Firing range revenues should stay with the police department.

Des Fitzgerald - what was the outcome of the investigation by the Warren County Prosecutor? Dominick Santini read the letter from the Prosecutor stating that no criminal charges would be filed and the matter would be handled within the Police Department. Councilman Makatura stated that there has been no ruling from the Local Finance Board regarding allegations of conflicts of interest among certain Council members. Dominick Santini advised that it is not his responsibility to investigate this matter and that the Town would need to seek someone from the outside to do an investigation.

Kim Peckman-Greenwlad - holding Winter Holidays Around the World at the Warren County Historical Society on December 14th.

A motion was made by Councilman Sebold, seconded by Councilwoman Miers and carried to adjourn the meeting of the Belvidere Town Council at 9:13 PM.

Respectfully submitted,

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