

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
APRIL 23, 2018**

Mayor Kennedy opened the regular meeting of the Belvidere Town Council with the Pledge of Allegiance. 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 Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Tutka, Councilman Zmigrodski
Absent - Councilman Roth

Approval of Minutes:

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adopt the following meeting minutes of the Belvidere Town Council:

March 26, 2018 regular and executive meeting
April 9, 2018 workshop and executive meetings

Proclamation:

Town of Belvidere

Proclamation

Honoring Brady Kardos for his achievement in earning the rank of Eagle Scout

Whereas, the achievements in scouting reflects itself in the pride of the community; and

Whereas, Brady Kardos has successfully completed all the requirements to earn the prestigious rank of Eagle Scout;

Now, Therefore, Be it Proclaimed, that the Mayor and Town Council of the Town of Belvidere hereby formally expresses congratulations to Brady Kardos for attaining the rank of Eagle Scout.

Dated this 23rd Day of April, 2018

Public Comment:

There was no public comment at this time.

2018 Municipal Budget:

ORDINANCE NO. O2018x01

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

CALENDAR YEAR 2018

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 2018 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 \$87,834.78 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 2018 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 \$87,834.78 and that the CY 2018 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 26, 2018 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 23, 2018 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 foregoing ordinance was approved for final adoption by the Belvidere Town Council at a regular meeting held on April 23, 2018.

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to open the public hearing on Ordinance No. O2018x01.

The ordinance brought no public comment.

A motion was made by Councilwoman Miers and seconded by Councilwoman Napolitani to close the public hearing and adopt Ordinance No. O2018x01.

Roll call:

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

Nays - Councilman Tutka

Abstentions - None

Absent - Councilman Roth

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to open the public hearing on the 2018 Municipal Budget.

There was no public comment at this time.

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to close the public hearing on the 2018 Municipal Budget.

A motion was made by Councilwoman Miers and seconded by Councilman Makatura to adopt the 2018 Municipal Budget.

Roll call:

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

Nays - Councilman Tutka

Abstentions - None

Absent - Councilman Roth

Approval of Purchase Orders:

Councilwoman Miers began a review of the bill list. Discussion ensued. Councilman Makatura suggested that Council review the bills prior to the meeting. Mayor Kennedy stated that it was his suggestion to review the bills to save on the burden of the administrative staff. Mayor Kennedy stopped the review.

A motion was made by Councilwoman Miers, seconded by Councilman Makatura with Councilman Tutka voting “no” and all others voting “yes” to authorize the payment of the purchase orders (minus the bills for Econo Signs and MSDSONline) in the amount of \$17,779.28.

Committee Reports:

Councilman Zmigrodski - manager has been hired at the Pool. Newly mandated equipment has been purchased. Very impressed with the work being done at the Community Center.

Councilman Makatura - new PD vehicle is in and being lettered. Officer out on worker’s compensation. New judge will be sitting the bench for the next court session. PD had 326 calls for service in March.

Councilwoman Napolitani - DPW activity. Researching fencing options and prices for DPW yard and range. Attended meeting with Paul Sterbenz, Teresa Yeisley, John Snyder and Mayor Kennedy regarding engineering projects for 2018. Testing wells being installed on Ownes-Brockway property.

Councilwoman Miers - attended Victorian Days Committee meeting. BOE budget meeting scheduled for April 25th.

Councilman Tutka - members of the Environmental Commission handed out surveys at the Earth Day event in Garret Wall Park. Elizabethtown Gas waiting for approvals from the Warren County Engineer for the Greenwich Street work. JCP&L installed the new guide pole in the 600 block of Water Street. Historic Commission had three applications. Planning Board had one zoning application and held the public hearing on the Redevelopment Study.

Mayor Kennedy - Councilwoman Miers will preside over the May meetings while the Mayor is recovering from knee surgery.

Correspondence:

A motion was made by Councilman Makatura, seconded by Councilwoman Napolitani and carried to approve the following street closures:

Belvidere American Legion Memorial Day Parade - May 28th

Warren County War Memorial Veterans Recognition - May 4th

Thisilldous Cruise Nights - June 1st, July 6th, August 3rd

Resolutions:

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adopt Resolutions R2018x28 through R2018x32.

RESOLUTION NO. R2018x28

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION IN SUPPORT OF OPPOSITION TO THE NJDOT ROUTE 80 ROCK MITIGATION PROJECT THROUGH THE DELAWARE WATER GAP IN HARDWICK AND KNOWLTON TOWNSHIPS

WHEREAS, the New Jersey Department of Transportation (NJDOT) intends to construct a series

of high industrial fences and a 60-foot concrete pyramid called a “rockfall berm” along Route 80 through the scenic Delaware Water gap; and

WHEREAS, the proposed Route 80 Rockfall Mitigation will be constructed on lands located in Hardwick and Knowlton Townships and the Delaware National Water Gap Park; and

WHEREAS, stakeholders Hardwick and Knowlton Townships have formally opposed the project within their boundaries; and

WHEREAS, a concept development report acknowledges that “NJDOT” provides limited rockfall event data, and the actual frequency of rock activity is unknown for this project; and

WHEREAS, there are 70 to 80 motor vehicle accidents on Route 80 in this area annually due to speed and poor road conditions yet this project involves no road improvements; and

WHEREAS, two years of construction on Route 80 will have a significant negative impact on residents for New Jersey and Pennsylvania and on emergency personnel’s ability to get to nearby hospitals; and

WHEREAS, the income generated by tourism and the scenic value of Northwest New Jersey will likely be negatively impacted by this proposed construction; and

WHEREAS, the millions of dollars appropriated for this non-essential project could be better directed to creating safer roadway conditions in the Delaware Water Gap National Recreation Area and other areas of Northwest New Jersey;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Belvidere hereby opposes the current NJDOT Route 80 Rockfall Mitigation Project and requests the assistance of the following representatives in halting this project:

Governor Phil Murphy, US Congressman Josh Gottheimer, US Senator Cory Booker, US Senator Robert Menedez, St Senator Steven Oroho, Assemblyman Parker Space, Assemblyman Harold Wirths, Warren County Freeholders

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 23, 2018.

**RESOLUTION NO. R2018x29
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
A RESOLUTION TO HIRE AND PAY EMPLOYEES FOR THE CONSTRUCTION
DEPARTMENT**

BE IT RESOLVED by the Belvidere Town Council that the following individuals are hereby appointed effective immediately as officials of the Construction Department of the Town of Belvidere:

<u>Name</u>	<u>Title</u>	<u>Salary</u>
Joseph Rossi	Interim Construction Official	\$ 4,000 per annum
Joseph Rossi	Interim Building Inspector	4,000 per annum
Karl McAleer	Fire Inspector	2,500 per annum
Carl Deiffenbach	Plumbing Inspector	3,000 per annum

Date: April 23, 2018

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

**RESOLUTION NO. R2018x30
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
A RESOLUTION AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN FOR
THE REGIONAL MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2019**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse establishes the Municipal Alliance for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and enlarge 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 throughout 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 Belvidere 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 of Belvidere 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 Town of Belvidere hereby recognizes the following:

1. The Town Council hereby authorizes submission of a strategic plan for the Regional Municipal Alliance grant for fiscal year 2019 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 terms, including the administrative compliance and audit requirements.

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 23, 2018.

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

**RESOLUTION NO. R2018x31
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
A RESOLUTION TO PAY A SCHOOL RESOURCE OFFICER**

BE IT RESOLVED that the Belvidere Town Council hereby authorizes the following to be paid as a Class 2 School Resource Officer effective April 1, 2018:

<u>Name</u>	<u>Title</u>	<u>Salary</u>
Dennis Riley	Class 2 School Resource Officer	\$ 27.00 per hour

BE IT FURTHER RESOLVED that all expenses incurred for the aforementioned will be reimbursed by the Belvidere School District.

Date: April 23, 2018
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

**RESOLUTION NO. R2018x32
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
RESOLUTION AUTHORIZING THE FILING
OF A RECYCLING TONNAGE GRANT FOR 2017**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs, and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Town Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Mayor and Town Council of the Town of Belvidere that the Town of Belvidere hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Jason Stout, Recycling Coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

CERTIFICATION

I, Teresa A. Yeisley, Municipal Clerk/Administrator, Town of Belvidere, Warren County, New Jersey do hereby certify that the foregoing resolution was duly adopted by the Belvidere Town Council at a regular meeting held on April 23, 2018.

Ordinances:

**ORDINANCE NO. O2018x02
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY**

**AN ORDINANCE PROVIDING FUNDING FOR ACQUISITION OF A
PUMPER FIRE TRUCK FOR THE TOWN OF BELVIDERE AND
APPROPRIATING \$410,000 FOR SUCH PURPOSE.**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BELVIDERE, IN THE COUNTY OF WARREN AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Town of Belvidere, in the County of Warren, New Jersey, authorizes acquisition of a pumper fire truck to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$410,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from (a) \$200,000 from the Capital Improvement Fund, (b) \$200,000 contribution from the Township of White and (c) \$10,000 contribution from Goodwill Fire Company.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Town determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Town of Belvidere may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to open the public hearing on Ordinance No. O2018x02.

The ordinance brought no public comment.

A motion was made by Councilwoman Miers and seconded by Councilman Makatura to close the public hearing and adopt Ordinance No. O2018x02.

Roll call:

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

Nays - None

Abstentions - Councilman Tutka

Absent - Councilman Roth

Previous Business:

Flags - the American flags will be hung prior to Memorial Day on Water, Oxford, Greenwich and the Memorial Day Parade route by the DPW.

New Business:

Mayor Kennedy initiated a discussion about dog feces in Garret Wall Park, as well as other areas, and cleaning up after your pet.

Councilman Tutka advised that National Day of Prayer will be observed on May 3rd.

Appointments:

There were no appointments at this time.

Public Comment:

Peter Koop - dog feces in the Park

Sue Beale - bakery on Mill Street, furniture at curb on Front Street, promoting tourism

Dennis Riley - contact school to coordinate gas installation on Greenwich Street

Rheva Smickle - furniture left curbside

Ann Skoog - Environmental Commission could assist with public education about cleaning up after your pet

Beth Makatura - Councilman Tutka's voting actions

Deborah Tutka - approval of purchase orders and payment procedures

Dennis Riley - expenditures and approvals

Executive Session:

A motion was made by Councilwoman Napolitani, seconded by Councilwoman Miers and carried to adopt Resolution No. R2018x34.

RESOLUTION NO. R2018x34

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

Date: April 23, 2018
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 that Council discussed the following in executive session and no decisions were made:

With union representatives, PD contract
DPW Director compensatory time.

A motion was made by Councilman Makatura and seconded by Councilwoman Napolitani to adopt Resolution No. R2018x33 authorizing the DPW Director to use the following compensatory time: 80 hours in 2018, 80 hours in 2019 and 80 hours in 2020. Must be used in that year and will not be carried over to the next year.

Roll call:

Ayes - Councilman Makatura, Councilwoman Napolitani, Councilman Zmigrodski

Nays - Councilwoman Miers, Councilman Tutka, Mayor Kennedy

Abstentions - None

Absent - Councilman Roth

Motion failed.

A motion was made by Councilman Makatura, seconded by Councilwoman Miers with Councilman Tutka voting “no” and all others voting “yes” to amend Resolution No. R2018x26 to state that Nicole Lenar is appointed to a three-year term as Municipal Judge effective April 9, 2018.

A motion was made by Councilman Makatura to adjourn the meeting of the Belvidere Town Council at 10:19 pm.

Respectfully submitted,

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