

**MINUTES - TOWN COUNCIL WORKSHOP MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
MAY 9, 2022**

Mayor Kennedy opened the workshop 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 Express Times Warren County NJ Zone and/or the Express-Times or Newark Star Ledger, filed in the Municipal Clerk's Office and posted in the Belvidere Town Hall, 691 Water Street, Belvidere NJ. This meeting was also advertised in accordance with the law as a virtual ZOOM meeting with instructions to the public for attendance and comment. Discussion of summer meeting dates will be added to the agenda.

Roll Call:

Present - Councilman Matlock (via Zoom), Councilwoman Miers, Councilman Mitchell, Councilwoman Napolitani, Councilman Roth, Councilman Zmigrodski
Absent - Mayor Kennedy

Adoption of Minutes:

A motion was made by Councilwoman Miers, seconded by Councilman Matlock and carried to adopt the April 25, 2022 regular meeting minutes of the Belvidere Town Council.

Public Comment:

There was no public comment at this time.

Matters to be Addressed:

NPP

Councilman Roth - program moving at a swift pace. Three businesses are taking advantage of consulting aid. Four grants are being given to businesses for building facade work, with the four grants totaling not more than \$15,000 collectively. Applied for a \$22,000 grant from AARP for bike lanes, bike racks and benches. Program a year ahead of where they thought they would be. A conceptual plan of the waterfront area was presented.

Jacki Idler - met with Environmental and Shade Tree in reference to seeking community National Wildlife Certification. Working with master gardeners on planting plans for river-front area and Belvidere Garden Club on Town planters. Planters will be painted with NPP approved designs and relocated. DPW will assist with watering.

Laura Kennedy - looking to use Red Barn at Riverside Park to house PA system.

A motion was made by Councilman Roth, seconded by Councilman Zmigrodski and carried approving investigation of feasibility and safety of the Red Barn at Riverside Park for use by NPP for the PA system.

Seeking a \$2,500 matching grant from the Lehigh Valley Chamber of Commerce. A private business event for investors is planned for June 25th. Entire Town should have a master redevelopment plan.

A motion was made by Councilwoman Miers, seconded by Councilman Roth and carried approving raffle license numbers RL2022-10 through RL2022-12 for Warren County Technical School.

Resolutions:

A motion was made by Councilman Roth, seconded by Councilwoman Miers and carried to adopt Resolution No. R2022x47.

RESOLUTION NO. R2022x47

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

RESOLUTION APPROVING REQUEST FOR EXTENSION OF TIME TO OBTAIN APPROVALS, BELVIDERE URBAN RENEWAL, LLC

WHEREAS, the existing Redevelopment Agreement between the Town of Belvidere and Belvidere Urban Renewal, LLC (“BUR”) contains a twenty-four month time-frame to obtain all necessary approvals, which said time period expired March 10, 2022; and

WHEREAS, pursuant to the Agreement, BUR has submitted a letter through its attorneys requesting a one-year extension of the development approval contingency contained in paragraph 4.1b of the Agreement; and

WHEREAS, the Mayor and Council have determined that BUR has diligently pursued its approvals, including approvals from the Belvidere Land Use Board, Soil Conservation District approval, PRUMA approval, New Jersey American Water approval and conditional approval from the Warren County Planning Board such as to justify an extension of the time to secure remaining unconditional approvals.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of Belvidere, in the County of Warren, State of Jersey, that the time within which to obtain all necessary development approvals set forth in paragraph 4.1b of the Redevelopment Agreement between the Town and BUR be and hereby is extended for a period of six (6) months retroactive to March 10, 2022 through September 10, 2022.

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 May 9, 2022.

A motion was made by Councilman Zmigrodski, seconded by Councilwoman Miers and carried to adopt Resolution No. R2022x48.

RESOLUTION NO. R2022x48

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION RE-AUTHORIZING AND DIRECTING THE LAND USE BOARD OF THE TOWN OF BELVIDERE TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER A CERTAIN AREA WITHIN THE TOWN IS AN AREA IN NEED OF REDEVELOPMENT

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, the governing body of the Town of Belvidere ("Town") is authorized to direct the Land Use Board of the Town of Belvidere ("Land Use Board") to undertake a preliminary investigation in order to determine whether a certain area within the Town would qualify as an area in need of redevelopment pursuant to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Town previously authorized an investigation by Resolution dated September 11, 2017 directing the Land Use Board to conduct a study with respect to “Industrial Zone – Fifth Street”; and

WHEREAS, said Resolution failed to state as required pursuant to N.J.S.A. 40A:12-6 whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (“Non-Condensation Redevelopment Area”) or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the powers of eminent domain (“Condensation Redevelopment Area”); and

WHEREAS, said Resolution also did not specify the particular lot and blocks for which the study was requested; and

WHEREAS, the Town wishes to reauthorize the investigation for the purpose of (1) clarifying that it does not intend to use all the powers provided by the Legislature for use in a redevelopment area,

and specifically, the Town of Belvidere will not use eminent domain, and (2) the specific lot and blocks for which the investigation is to be conducted.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Belvidere, they being the Governing Body thereof, as follows:

1. The Land Use Board of the Town of Belvidere is hereby directed to conduct a preliminary investigation to determine whether the following property, or any portions thereof, constitute a “non-condemnation” are in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5;

- Block 47, Lot 10
- Block 48, Lot 7
- Block 42, Lot 2
- Block 42, Lot 3
- Block 46, Lot 3
- Block 46, Lot 5
- Block 48, Lot 8
- Block 45, Lot 5
- Block 46, Lot 2
- Block 45, Lot 7
- Block 45, Lot 8
- Block 46, Lot 4

2. The Land Use Board of the Town of Belvidere is hereby directed to conduct a preliminary investigation of the aforementioned Property, in accordance with the requirements set forth in N.J.S.A. 40A: 12A-6, more specifically, to prepare a map showing the boundaries of the property included therein, with a statement setting forth the basis for the investigation appended to the map; to specify a date for a public hearing for the determination that the delineated area is a non-condemnation area in need of redevelopment; to give notice of said hearing pursuant to the hearing notice requirements set forth in N.J.S.A. 40A:12A-6(b)(3), to hear and receive into the record any objections to such a determination that the proposed property be designated an area in need of redevelopment; and

3. After completing its hearing on the matter, the Land Use Board shall recommend that the delineated area, or any part thereof, be determined, or not be determined, by the Municipal Governing Body to be an area in need of redevelopment.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately,

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 May 9, 2022.

Ordinances:

A **motion** was made by Councilwoman Miers and seconded by Councilman Roth to introduce Ordinance No. O2022x02.

ORDINANCE NO. O2022x02

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

AN ORDINANCE ADOPTING A REVISION AND CODIFICATION OF THE ORDINANCES OF THE TOWN OF BELVIDERE

Be it ordained and enacted by the Town Council of the Town of Belvidere, County of Warren, State of New Jersey, as follows:

§ 1-1. Code adopted; existing ordinances continued.

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Town of Belvidere of a general and permanent nature adopted by the Town Council of the Town of Belvidere, as revised and codified and consisting of Chapters 1 through 505, together with an Appendix, are hereby approved, adopted, ordained and enacted as the Code of the Town of Belvidere, hereinafter referred to as the "Code." The provisions of the Code, insofar as they are substantively the same as those of the ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments. This ordinance and the Code adopted hereby shall supersede and replace the 1987 Code of the Town of Belvidere, as amended and supplemented.

§ 1-2. Code on file; additions and amendments.

A. A copy of the Code has been filed in the office of the Municipal Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance. Following adoption of this ordinance, such copy shall be certified to by the Clerk of the Town of Belvidere by impressing thereon the Seal of the Town, as provided by law, and such certified copy shall remain on file in the office of the Town Clerk, to be made available to persons desiring to examine the same during all times while said Code is in effect.

B. Additions or amendments to the Code, when adopted in such form as to indicate the intent of the Town Council to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Town of Belvidere" shall be understood and intended to include such additions and amendments.

§ 1-3. Notice; publication.

The Clerk of the Town of Belvidere shall cause notice of the passage of this ordinance to be given in the manner required by law. The notice of passage of this ordinance coupled with filing of the Code in the office of the Town Clerk as provided in § 1-2 shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-4. Severability.

Each section of this ordinance and of the Code and every part of each section is an independent section or part of a section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-5. Repealer.

A. Ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Town of Belvidere which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.

B. The following ordinances have been excluded from the Code and are specifically repealed:

- (1) Ordinance No. 87-11, 1987 Code adoption, adopted August 3, 1987, as amended and supplemented.
- (2) Former Chapter 24, Health, Board of, of the 1987 Code.
- (3) Former Chapter 25, Local Assistance Board, of the 1987 Code.
- (4) Former Chapter 101, Indigent Persons, Article I, Burial, of the 1987 Code.

§ 1-6. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-5 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to December 13, 2021.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Town's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- J. The dedication of property or approval of preliminary or final subdivision plats.
- K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- L. Any ordinance adopting or amending the Zoning Map.
- M. Any ordinance relating to or establishing a pension plan or pension fund for municipal employees. *{for additional entries, check EDIT NOTES and search on NI in DL and/or DT}*

§ 1-7. Changes in previously adopted ordinances.

A. In preparing the revision and codification of the Town's ordinances pursuant to N.J.S.A. 40:49-4, certain minor grammatical and nonsubstantive changes were made in one or more of said ordinances. It is the intention of the Town Council that all such changes be adopted as part of the Code as if the ordinances so changed had been formally amended to read as such.

B. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

C. Nomenclature changes. Throughout the Code, the following titles have been updated as follows:

- (1) References to "Zoning Board of Adjustment" have been deleted, where applicable, or changed to "Planning Board," where applicable, as a result of the

merging of the Planning Board with the Zoning Board of Adjustment, pursuant to Ord. No. 2008-10.

§ 1-8. Titles and headings; editor's notes.

A. Chapter and article titles, headings and titles of sections and other divisions of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

B. Editor's notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

§ 1-9. Altering or tampering with Code; violations and penalties.

It shall be unlawful for anyone to change, alter or tamper with the Code in any manner which will cause the laws of the Town of Belvidere to be misrepresented thereby. Anyone violating this section shall be subject, upon conviction, to one or more of the following penalties: a fine of not more than \$2,000, imprisonment for not more than 90 days or a period of community service not exceeding 90 days, in the discretion of the Judge imposing the same.

§ 1-10. When effective.

This ordinance shall take effect immediately upon final passage and publication as provided by law.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on May 9, 2022 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 June 27, 2022 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. or on the municipal website, belviderenj.net.

Roll call:

Ayes - Councilman Matlock, Councilwoman Miers, Councilman Mitchell, Councilwoman Napolitani, Councilman Roth, Councilman Zmigrodski

Nays - None

Abstentions - None

Recusal - None

Absent - Mayor Kennedy

Appointments:

A motion was made by Councilman Roth, seconded by Councilman Matlock and carried to appoint Robert Shelton and April Mitchell to the Pool Committee.

Authorization to Pay Purchase Orders:

A motion was made by Councilwoman Miers, seconded by Councilman Matlock and carried to authorize the payment of the purchase orders as submitted in the amount of \$363,790.07.

A motion was made by Councilman Zmigrodski, seconded by Councilman Matlock with Councilman Roth voting "no" and all others voting "yes" to have a summer schedule of Council meetings with one meeting per month in June, July and August on the fourth Monday of each month.

A motion was made by Councilman Zmigrodski, seconded by Councilwoman Miers approving Colliers Engineering Parker Street design proposal in the amount of \$36,900.

Public Comment:

Virginia Walton - Red Barn, tree lighting

Maryanne Meyer-Garcia - Red Barn tin roof, painting and electric done by Victorian Days

Jacki Idler - Second Street train tressel vandalized with anti-semitic hate graffiti. Need diversity support and training.

Chris Hussey - garbage pick-up in alleys

A motion was made by Councilman Matlock to adjourn the meeting of the Belvidere Town Council at 7:51 PM.

Respectfully submitted,

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